

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 24 NUMBER 146

Washington, Tuesday, July 28, 1959

Title 3—THE PRESIDENT

Executive Order 10830

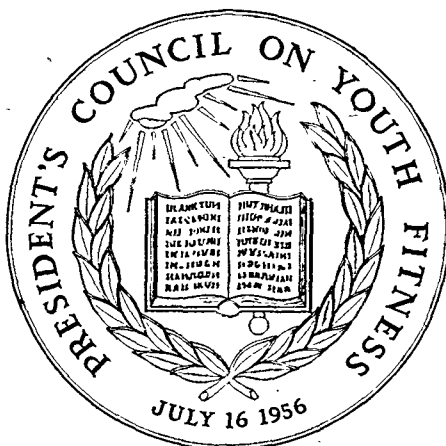
ESTABLISHING A SEAL FOR THE PRESIDENT'S COUNCIL ON YOUTH FITNESS

WHEREAS the Chairman of the President's Council on Youth Fitness has caused to be made, and has recommended that I approve, a seal of office for the President's Council on Youth Fitness, the design of which accompanies and is hereby made a part of this order, and which is described as follows:

On a light blue disc edged gold, an open book with red binding, parchment-color pages edged gold with suggested black lettering, the sinister section of the book surmounting a gold torch inflamed in natural colors all within an open wreath of green laurel leaves and in upper dexter a gold cloud issuing gold rays, all encircled by the inscription "President's Council on Youth Fitness July 16, 1956" in gold letters;

AND WHEREAS it appears that such seal is of suitable design and appropriate for establishment as the official seal of the President's Council on Youth Fitness:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, I hereby approve such seal as the official seal of the President's Council on Youth Fitness.



DWIGHT D. EISENHOWER

THE WHITE HOUSE,
July 24, 1959.

[F.R. Doc. 59-6221; Filed, July 24, 1959;
11:36 a.m.]

CONTENTS

THE PRESIDENT

Executive Order	Page
Establishing a seal for the President's Council on Youth Fitness.....	5985

EXECUTIVE AGENCIES

Agricultural Marketing Service	
Proposed rule making:	
Almonds grown in California.....	6005
Figs, dried; produced in California.....	6005
Milk; in Minneapolis-St. Paul marketing area.....	6006
Potatoes, Irish; grown in Colorado; Area 3.....	6005
Rules and regulations:	
Avocados; prohibition of certain imports.....	5996
Grain inspection in Canada.....	5985
Milk in northeastern Ohio marketing area.....	5987

Agriculture Department
See Agricultural Marketing Service; Farmers Home Administration.

Army Department
See Engineers Corps.

Atomic Energy Commission	
Notices:	
Division of General Dynamics Corp.; filing of application for utilization facility export license.....	6016

Civil Aeronautics Board	
Notices:	
Dollar Lines, Ltd.; hearing.....	6016

Coast Guard	
Notices:	
Approval and termination of approval of equipment, installations, or materials and change in name of manufacturer.....	6009

Commerce Department
See Federal Maritime Board.

Customs Bureau	
Rules and regulations:	
Customs Port of Brownsville, Texas; extension of limits.....	5998
Imported merchandise; informal entries.....	5999

5985

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 68 — REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

Subpart A—Regulations

GRAIN INSPECTION IN CANADA

Pursuant to sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), the regulations and schedule of fees and charges for inspection and certification of certain agricultural commodities and

products thereof (7 CFR, Part 68, Subpart A, as amended), are hereby amended as follows:

§ 68.4 [Amendment]

1. Section 68.4(b) is amended to read:

(b) Inspection under the regulations may be provided for commodities shipped or received in interstate commerce, and may also be provided for commodities at important central markets and other places designated by the Director when he determines that such inspection will facilitate the marketing, distribution, processing, and utilization of agricultural products through commercial channels. This may include the inspection under the official grain standards of the United States (Part 26, Subpart B, of this chapter) at designated places in Canada of grain produced in the United

(Continued on p. 5987)



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CFR SUPPLEMENTS

(As of January 1, 1959)

The following Supplements are now available:

Titles 1-3 (\$1.00)

General Index (\$0.75)

All other Supplements and revised books have been issued and are now available.

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.

CONTENTS—Continued

Engineers Corps	Page
Rules and regulations:	
Bayou Lafourche, La., and Pacific Ocean, Hawaii; bridge and danger zone regulations...	5999
Farmers Home Administration	
Rules and regulations:	
Farm ownership loans; average value of farms; Tennessee, Texas	5996
Federal Aviation Agency	
Proposed rule making:	
Federal airways and control areas:	
Modification	6008
Revocation	6007
Rules and regulations:	
Airworthiness directives; miscellaneous amendments	5997

CONTENTS—Continued

Federal Maritime Board	Page
Notices:	
American President Lines, Ltd.; hearing	6015
Federal Power Commission	
Notices:	
Hearings, etc.:	
Carter-Jones Drilling Co., Inc., et al.	6016
Manufacturers Light and Heat Co.	6017
Federal Trade Commission	
Rules and regulations:	
Cease and desist orders:	
Ford, Charles & Associates of the Midwest, Inc., et al.	5997
Gomez, Charles F., et al.	5998
Food and Drug Administration	
Proposed rule making:	
Pesticide chemicals in or on raw agricultural commodities; filing of petition for establishment of tolerances for residues of diuron	6008
Health, Education, and Welfare Department	
See Food and Drug Administration.	
Interior Department	
See Land Management Bureau; National Park Service.	
Interstate Commerce Commission	
Notices:	
Motor carrier transfer proceedings	6022
Rules and regulations:	
Locomotive inspection other than steam locomotives and appurtenances; approval of form for reporting of inspections	6003
United States safety-appliance standards (railroad); tank cars without underframes	6004
Labor Department	
See Public Contracts Division.	
Land Management Bureau	
Rules and regulations:	
Public land orders:	
Alaska (2 documents)	6000, 6001
California	6000
Colorado	6000
Idaho (2 documents)	6001, 6002
Nevada	6001
Oregon	6001
South Dakota	6001
National Park Service	
Rules and regulations:	
Glacier National Park; fishing	5999
Public Contracts Division	
Proposed rule making:	
Federal Prison Industries, Inc.; exemption from Walsh-Healey Public Contracts Act requested concerning cotton lint	6007
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Aluminum Co. of America	6017

CONTENTS—Continued

Securities and Exchange Commission—Continued	Page
Notices—Continued	
Hearings, etc.—Continued	
Barton Distilling Co.	6018
Cerro De Pasco Corp.	6018
Trepac Corporation of America	6019
Proposed rule making:	
Investment Company Act; definition of beneficial ownership	6008
Small Business Administration	
Notices:	
California; declaration of disaster area	6019
Delegations of authority relating to financial assistance:	
Atlanta Regional Office; Chief, Loan Liquidation Section	6020
Boston Regional Office; Chiefs:	
Financial Assistance Division	6020
Loan Administration Section	6020
Loan Processing Section	6020
Dallas Regional Office; Branch Manager, Oklahoma City, Okla.	6021
Detroit Regional Office; Chief, Processing Section	6022
Treasury Department	
See Coast Guard; Customs Bureau.	
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.	
3 CFR	Page
Executive orders:	
Jan. 1, 1908 (revoked in part by PLO 1919)	6001
10830	5985
6 CFR	
331	5996
7 CFR	
68	5985
960	5987
975	5987
1067	5996
Proposed rules:	
909	6005
958	6005
964	6005
973	6006
14 CFR	
507	5997
Proposed rules:	
600 (2 documents)	6007, 6008
601	6007
16 CFR	
13 (2 documents)	5997, 5998
17 CFR	
Proposed rules:	
270	6008

CODIFICATION GUIDE—Con.

19 CFR	Page
1-----	5998
8-----	5999
21 CFR	
<i>Proposed rules:</i>	
120-----	6008
33 CFR	
203-----	5999
204-----	5999
36 CFR	
20-----	5999
41 CFR	
<i>Proposed rules:</i>	
201-----	6007
43 CFR	
<i>Public land orders:</i>	
293 (see PLO 1914)-----	6000
712 (revoked in part by PLO 1920)-----	6001
1017 (revoked by PLO 1921)-----	6001
1199 (see PLO 1921)-----	6001
1345 (see PLO 1917)-----	6001
1914-----	6000
1915-----	6000
1916-----	6000
1917-----	6001
1918-----	6001
1919-----	6001
1920-----	6001
1921-----	6001
1922-----	6002
49 CFR	
91-----	6003
131-----	6004

States which is moving through Canada in the course of exportation from the United States to countries other than Canada, and for which such standards have been fixed and established under the United States Grain Standards Act (7 U.S.C. 71 et seq.). Specific information as to the places where inspection is available may be obtained from the Director.

2. Section 68.5 is amended to read:

§ 68.5 Regulations not applicable for certain purposes.

The regulations do not apply to the inspection of grain in the United States under the United States Grain Standards Act (7 U.S.C. 71 et seq.) or to the testing and inspection of seed under the Federal Seed Act (7 U.S.C. 1551 et seq.).

§ 68.42a [Amendment]

3a. Section 68.42a is amended by adding a new paragraph (h) to read:

(h) *Inspection of United States grain in Canada.* (1) The fees for the sampling, inspection, grading, and certification of United States grain moving through Canada, in accordance with the Official Grain Standards of the United States (Part 26, Subpart B of this chapter), shall be as follows:

(i) For bulk or sacked grain in carload lots, \$8.00 per car;

(ii) For bulk or sacked grain in trucks and trailers, \$5.00 per truck or trailer lot;

(iii) For bulk or sacked grain in boats, barges, or other vessels, \$2.00 per

thousand bushels or fraction thereof, with a minimum of \$5.00 per lot;

(iv) For a submitted sample or package of grain, \$3.00 per sample or package;

(v) For all lots of grain other than those referred to in subdivisions (i), (ii), (iii), and (iv) of this subparagraph, \$2.00 per thousand bushels or fraction thereof, with a minimum fee of \$5.00 per lot.

(2) In addition, charges will be made for overtime, if any, and travel, if any, to points where no inspector is stationed, at rates in accordance with those prescribed in paragraph (a)(3) of this section.

b. Section 68.42a(a)(3) is amended to read:

(3) The fees provided for in subparagraphs (1) and (2) of this paragraph cover sampling, testing (including laboratory tests required by the usual specifications), and certifying commodities and products for quality specifications during the regular tour of duty of the inspector, at points where inspectors are located. There will be added to the fees charged under those subparagraphs charges for overtime, if any, at the rate of \$5.80 per hour, and additional fees in accordance with paragraph (c) of this section to cover laboratory tests other than those required by usual specifications. At points where no inspector is located, further charges will be made in accordance with paragraph (e) of this section to cover fees paid to licensed samplers for obtaining samples, and charges to cover standby time at the rate of \$4.50 per hour, overtime at the rate of \$5.80 per hour, per diem within rates prescribed in standardized government travel regulations, mileage at the rate of eight cents per mile for travel by automobile, and the cost of other travel, and other items of cost incurred in obtaining samples.

c. Section 68.42a(b) is amended by changing "\$5.50" to "\$5.80".

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090, as amended; 7 U.S.C. 1622, 1624)

The foregoing amendments provide for the inspection and certification upon request at designated places in Canada of the grade of United States grain moving through Canada in the course of exportation. The service will facilitate the exportation of such grain via the St. Lawrence Seaway. The service will be purely voluntary and will not necessitate any change in the business operations of affected members of the grain industry. As grain is presently moving through the Seaway it is essential that the amendments be made effective as soon as possible to be of maximum benefit to affected persons. Insofar as the amendments concern the costs of the service they relate to a matter on which this Department has complete information. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public rule-making procedure on the amendments are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

The amendments shall become effective on the 28th of July 1959.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

JULY 23, 1959.

[F.R. Doc. 59-6197; Filed, July 27, 1959; 8:52 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

SUBCHAPTER A—MARKETING ORDERS

[Milk Order 75]

PART 960—MILK IN AKRON-STARK COUNTY, OHIO, MARKETING AREA

PART 975—MILK IN NORTHEASTERN OHIO MARKETING AREA

Order Amending Order

Sec.	
975.0	Findings and determinations.
	DEFINITIONS
975.1	Act.
975.2	Secretary.
975.3	Department of Agriculture.
975.4	Person.
975.5	Northeastern Ohio marketing area.
975.6	Handler.
975.7	Producer.
975.8	Pool plant.
975.9	Nonpool plant.
975.10	Producer milk.
975.11	Other source milk.
975.12	Fluid milk product.
975.13	Producer-handler.
975.14	Route.
975.15	Cooperative association.
975.16	Eligible milk.
975.17	Ineligible milk.
975.18	Reload point.
	MARKET ADMINISTRATOR
975.20	Designation.
975.21	Powers.
975.22	Duties.
	REPORTS, RECORDS, AND FACILITIES
975.30	Reports of receipts and utilization.
975.31	Other reports.
975.32	Payroll reports.
975.33	Records and facilities.
975.34	Retention of records.
	CLASSIFICATION
975.40	Skim milk and butterfat to be classified
975.41	Classes of utilization
975.42	Shrinkage
975.43	Transfers
975.44	Responsibility of handlers and reclassification of milk
975.45	Computation of the skim milk and butterfat in each class
975.46	Allocation of butterfat classified
975.47	Allocation of skim milk
975.48	Computation of total producer milk in each class
	MINIMUM PRICES
975.50	Basic formula price
975.51	Class I milk prices
975.52	Class II milk prices
975.53	Class III milk prices
975.54	Butterfat differentials to handlers
975.55	Handler location adjustment
975.56	Equivalent price provision
	DETERMINATION OF ELIGIBLE MILK QUOTA
975.60	Determination of eligible milk quota for each producer
975.61	Quota rules

DETERMINATION OF UNIFORM PRICE

Sec.	
975.70	Net obligation of handlers operating pool plants
975.71	Computation of uniform price
975.72	Computation of ineligible milk price
975.73	Computation of eligible milk price
975.74	Notification

PAYMENTS

975.80	Time and method of payment
975.81	Location adjustments to producers
975.82	Butterfat differential
975.83	Producer-settlement fund
975.84	Payments to the producer-settlement fund
975.85	Payments out of the producer-settlement fund
975.86	Expense of administration
975.87	Marketing services
975.88	Adjustment of accounts
975.89	Termination of obligations

APPLICATION OF PROVISIONS

975.90	Milk subject to other Federal orders
975.91	Handler exemption
975.92	Producer-handler

EFFECTIVE TIME, SUSPENSION OR TERMINATION

975.100	Effective time
975.101	Suspension or termination
975.102	Continuing obligations
975.103	Liquidation

MISCELLANEOUS PROVISIONS

975.110	Agents
975.111	Separability of provisions

AUTHORITY: §§ 975.0 to 975.111 issued under sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c.

§ 975.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Cleveland, Ohio, and Akron-Stark County, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will

reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 3 cents per hundred-weight or such amount not to exceed 3 cents per hundredweight as the Secretary may prescribe, with respect to (a) all receipts within the month of milk from producers, including such handler's own production; (b) any other source milk allocated to Class I pursuant to § 975.46(b) and the corresponding step of § 975.47; and (c) the amount of milk for which a payment is computed pursuant to § 975.84(b).

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1959.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued June 10, 1959, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued July 8, 1959. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1959, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (see section 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order, amending the order, is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the Akron-Stark County, Ohio, and Cleveland, Ohio, orders (Parts 960 and 975) shall be merged under one order and the handling of milk in the consolidated marketing area, the Northeastern Ohio marketing area, shall be in conformity to and in compliance with the terms and conditions of Order No. 75 as hereby amended, and the aforesaid order is hereby amended to read as follows:

DEFINITIONS

§ 975.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 975.2 Secretary.

"Secretary" means the Secretary of Agriculture or such other officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 975.3 Department of Agriculture.

"Department of Agriculture" means the United States Department of Agriculture or such other Federal agency as is authorized to perform the price reporting functions specified in this part.

§ 975.4 Person.

"Person" means any individual, partnership, corporation, association or any other business unit.

§ 975.5 Northeastern Ohio marketing area.

"Northeastern Ohio marketing area", hereinafter referred to as the "marketing area", means all territory within the boundaries of Cuyahoga and Summit Counties; Stark County, except Paris and Sugar Creek Townships; the City of Ashtabula in Ashtabula County; Knox Township in Columbiana County; Willoughby, Mentor and Kirtland Townships and the City of Painesville in Lake County; Black River, Sheffield, Avon Lake, Avon, Amherst, Elyria, Ridgeville, Carlisle, Eaton, Columbia and Grafton Townships in Lorain County; Smith Township in Mahoning County, except Great Lot 35 thereof; Liverpool, Brunswick, Hinckley, York, Granger, Medina, Lafayette, Montville, Sharon and Wadsworth Townships in Medina County; Franklin, Ravenna, Brimfield and Suffolk Townships and Lots 5 to 10, 15 to 20, 25 to 30, and 35 to 40, inclusive, of Randolph Township in Portage County; and Sections 1, 2, 3, 10, 11 and 12 of Sugar Creek Township in Wayne County; all in the State of Ohio; together with all piers, docks and wharves connected therewith and including all municipal corporations and all Federal or State installations, institutions or establishments therein.

§ 975.6 Handler.

"Handler" means (a) any person who operates a pool plant, (b) any person who operates a nonpool plant from which a route is operated in the marketing area, and (c) a cooperative association with

respect to the milk of any producer which such cooperative association causes to be diverted for the account of such association from a pool plant to a pool plant or nonpool plant.

§ 975.7 Producer.

"Producer" means any person other than a producer-handler with respect to milk produced by him having the approval of the appropriate health authority in the marketing area for consumption as fluid milk which is:

(a) Delivered from the farm to a pool plant;

(b) Diverted from the farm directly to a nonpool plant for the account of a cooperative association or of a handler operating a pool plant. Milk so diverted shall be deemed to have been received at the pool plant from which diverted, if for the account of the operator of such plant, or at an identical location if for the account of a cooperative association through diversion from the pool plant of another handler; and

(c) Diverted from the farm directly to another pool plant for the account of a handler operating a pool plant. Milk so diverted shall be deemed to have been received for the account of such handler at the pool plant from which it was diverted.

"Producer" shall not include any such person with respect to milk for which such person retains his status as a producer as defined in another order issued pursuant to the Act and which is classified and priced under such other order.

§ 975.8 Pool plant.

"Pool plant" means any milk plant specified in paragraph (a), (b), (c) or (d) of this section approved by the appropriate health authority in the marketing area, other than the plant of a producer-handler or a plant for which the handler is exempt pursuant to §§ 975.90 and 975.91.

(a) A plant at which milk is packaged and from which (1) fluid milk products classified as Class I milk are distributed on a route in the marketing area; and (2) total disposition of such fluid milk products on routes is 50 percent or more of total receipts during the month of milk approved for fluid use by a duly authorized health authority from dairy farmers, through reload points and from other milk plants;

(b) A plant from which there has been delivered to pool plant(s) described in paragraph (a) of this section, either during the current month or during any period of consecutive months ending with the current month, 30 percent or more of its total dairy farm supply of milk;

(c) A plant which was a pool plant during each month of the preceding period of August through January and during that period delivered to pool plant(s) described in paragraph (a) of this section 10 percent or more of its monthly total dairy farm supply of milk during each such month, and 30 percent or more of its total dairy farm supply during the entire August-January period, shall, unless written notice of withdrawal is received by the market admin-

istrator before the first day of the month, be a pool plant as follows:

(1) During the months of February through July regardless of shipments; and

(2) During each successive month of August through January in which it delivers 10 percent or more of its total dairy farm supply to pool plant(s) described in paragraph (a) of this section.

(d) A plant located less than 40 miles from the Public Square in Cleveland, Ohio, or less than 27.5 miles from the nearer of the City Hall in Akron, Ohio, or the City Hall in Canton, Ohio, operated by a cooperative association, or associations, if two-thirds or more of the milk (exclusive of that received at pool plants described in paragraphs (b) and (c) of this section) delivered during the immediately preceding six-month period by producers who are members of such association(s) was received at the pool plants of other handlers;

(e) All pool plants described in paragraph (b) or (c) of this section, respectively, operated by a handler may be considered as one plant for the purpose of meeting the percentage requirement of such paragraphs if the handler submits a written request to the market administrator prior to the delivery period for which such consideration is requested; and

(f) A plant which replaces a pool plant shall acquire immediately the pool plant status of the replaced plant if the operator thereof shows to the satisfaction of the market administrator that 50 percent or more of the dairy farmers delivering milk to it previously had been producers at the pool plant so replaced.

§ 975.9 Nonpool plant.

"Nonpool plant" means any milk plant which is not a pool plant.

§ 975.10 Producer milk.

"Producer milk" means all the skim milk and butterfat contained in milk received from producers.

§ 975.11 Other source milk.

"Other source milk" means all skim milk and butterfat contained in (a) receipts during the month of fluid milk products except (1) receipts from other pool plants and (2) producer milk; and (b) products, other than fluid milk products, from any source (including those produced at the pool plant) which are reprocessed or converted to another product in the pool plant during the month.

§ 975.12 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, concentrated milk not in hermetically sealed cans, cream, and mixtures of cream and milk or skim milk, including reconstituted milk or skim milk, but not including frozen or sour cream, aerated cream products, eggnog or ice cream and frozen dessert mixes.

§ 975.13 Producer-handler.

"Producer-handler" means a dairy farmer who operates a milk plant from which Class I products are distributed on route(s) in the marketing area and

receives no fluid milk products during the month except milk of his own production or by transfer from pool plants.

§ 975.14 Route.

"Route" means a delivery (including a delivery by a vendor or sale from a plant or plant store) of any fluid milk product (except bulk cream) classified as Class I milk to a wholesale or retail outlet other than a delivery to any milk plant.

§ 975.15 Cooperative association.

"Cooperative association" means any cooperative marketing association of producers which the Secretary determines after application by the association:

(a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sale or marketing milk or its products for its member; and

(c) To have all of its activities under the control of its members.

§ 975.16 Eligible milk.

"Eligible milk" means the amount of milk received by a handler from a producer during each of the months specified in § 975.73 which is not in excess of such producer's daily average quota multiplied by the number of days in such month on which such producer delivered milk to such handler. With respect to any producer on "every-other-day" delivery to a pool plant, the days of nondelivery shall be considered as days of delivery for the purpose of this section and § 975.60.

§ 975.17 Ineligible milk.

"Ineligible milk" means the amount of milk received by a handler from a producer during each of the months specified in § 975.73 which is in excess of eligible milk received from such producer during such month and shall include all milk received from a producer for whom no daily average quota can be computed.

§ 975.18 Reload point.

"Reload point" means a location, more than 40 miles from the Public Square in Cleveland, Ohio, and more than 27.5 miles from the nearer of the City Hall in Akron or the City Hall in Canton, Ohio, at which facilities approved by the appropriate health authority in the marketing area for transfer of milk from one tank truck to another and for washing of tank trucks are maintained, and at which milk moved from the farm in a tank truck is commingled with other such milk before entering a milk plant. All reloading operations on the premises of a pool plant shall be considered to be a part of such pool plant's operation. Otherwise the operations at a reload point shall be considered to be a part of the operation of the pool plant to which the major portion of the milk moved from farms to the reload point normally moves, except for the application of

location adjustments pursuant to §§ 975.55 and 975.81.

MARKET ADMINISTRATOR

§ 975.20 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by and shall be subject to removal at the discretion of, the Secretary.

§ 975.21 Powers.

The market administrator shall have the following powers with respect to this part:

- (a) To administer its terms and provisions;
- (b) To make rules and regulations to effectuate its terms and provisions;
- (c) To receive, investigate, and report to the Secretary complaints of violations; and
- (d) To recommend amendments to the Secretary.

§ 975.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to, the following:

- (a) Within 30 days following the date on which he enters upon his duties or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;
- (b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;
- (c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;
- (d) Pay, out of funds provided by § 975.86:
 - (1) The cost of his bond and of the bonds of his employees;
 - (2) His own compensation; and
 - (3) All other expenses, except those incurred under § 975.87, necessarily incurred by him in the maintenance and functioning of his office in the performance of his duties;
- (e) Keep such books and records as will clearly reflect the transactions provided for in this part, and, upon request by the Secretary surrender the same to such other person as the Secretary may designate;
- (f) Publicly announce, unless otherwise directed by the Secretary by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who within 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to §§ 975.80, 975.84, 975.86, 975.87, or § 975.88;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) On or before the 20th day of each month, report to each cooperative association that so requests the class utilization of milk received during the preceding month by each handler from producers who are members of such association, prorating to such receipts the class utilization of all producer receipts of such handler;

(i) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or nonhandler upon whose utilization the classification of skim milk and butterfat for such handler depends;

(j) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each month as follows:

(1) On or before the 6th day after the end of such month the minimum prices for Class I, Class II, and Class III milk computed pursuant to §§ 975.51, 975.52, and 975.53, respectively, and butterfat differentials computed pursuant to § 975.54;

(2) On or before the 14th day after the end of such month the uniform price computed pursuant to § 975.71, and for April, May and June the price for ineligible milk and the price for eligible milk, computed pursuant to §§ 975.72, and 975.73, respectively, and the butterfat differential computed pursuant to § 975.82;

(k) On or before April 1 of each year provide written notice to: (1) Each producer who made deliveries of milk during the previous October through December as to his daily average quota computed pursuant to § 975.60, (2) each cooperative association as to the daily average quota of each member of such association, and (3) each handler as to the daily average quota of each producer from whom such handler received milk; and

(l) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

REPORTS, RECORDS, AND FACILITIES

§ 975.30 Reports of receipts and utilization.

On or before the 8th day after the end of the month each handler who operates a pool plant, each handler who operates a nonpool plant, except as he is exempt pursuant to §§ 975.90 and 975.91, and any cooperative association with respect to milk for which it is a handler pursuant to § 975.6(c) shall report for the preceding month to the market administrator in detail and on forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in, or used in the production of:

(1) Milk received from producers (or qualified dairy farmers, in case of a nonpool plant) and for the months specified in § 975.60 the aggregate quantities of eligible milk;

(2) Fluid milk products received from other pool plants;

(3) Other source milk; and

(4) Inventories of fluid milk products on hand at the beginning of the month; and

(b) The utilization of all skim milk and butterfat required to be reported pursuant to paragraph (a) of this section, including a separate statement with respect to:

(1) Disposition of fluid milk products on routes in the marketing area; and

(2) Inventories of fluid milk products on hand at the end of the month; and

(c) Such other information as the market administrator may prescribe.

§ 975.31 Other reports.

Each producer-handler and each handler exempt pursuant to § 975.90 or § 975.91 shall make reports to the market administrator at such time and in such manner as the market administrator may request.

§ 975.32 Payroll reports.

On or before the 25th day after the end of each month, each handler who received milk from producers shall submit to the market administrator his producer payroll for the month, which shall show:

(a) For the months of July through March, the pounds of milk, and the percentage of butterfat contained therein, received from each producer; and for the months of April through June, the pounds of eligible milk and the pounds of ineligible milk, and the percentage of butterfat contained therein, received from each producer;

(b) The amount and date of payment to each producer or cooperative association pursuant to § 975.80; and

(c) The nature and amount of each deduction or charge involved in the payments referred to in paragraph (b) of this paragraph.

§ 975.33 Records and facilities.

Each handler shall maintain, and make available to the market administrator during the usual hours of business, such accounts and records of all of his operations and such facilities as, in the opinion of the market administrator, are necessary to verify reports or to ascertain the correct information with respect to:

(a) The receipts and utilization of all skim milk and butterfat required to be reported pursuant to § 975.30 or § 975.31;

(b) The pounds of skim milk and butterfat contained in or represented by each fluid milk product on hand at the beginning and at the end of each month;

(c) The weights and tests for butterfat and for other contents of all milk and milk products handled; and

(d) Payments to producers and to cooperative associations.

§ 975.34 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain:

Provided, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 975.40 Skim milk and butterfat to be classified.

All skim milk and butterfat received at a pool plant which is required to be reported pursuant to § 975.30 shall be classified pursuant to §§ 975.41 through 975.48.

§ 975.41 Classes of utilization.

Subject to the conditions set forth in §§ 975.43 and 975.44, the classes of utilization shall be:

(a) Class I utilization shall be all the skim milk (including the skim milk equivalent of concentrated products) and butterfat (1) disposed of in the form of a fluid milk product, except as provided in subparagraphs (c) (2) and (3) of this section or (2) not accounted for as Class II or Class III utilization;

(b) Class II utilization shall be all skim milk and butterfat (1) used to produce cottage cheese, and (2) disposed of as sour cream for consumption as such;

(c) Class III utilization shall be all skim milk and butterfat (1) used to produce a product other than a fluid milk product or a Class II product, (2) disposed of in fluid milk products in bulk form to any commercial food processing establishment for use in food products prepared for consumption off the premises, (3) disposed of for livestock feed or skim milk dumped subject to prior notification to and inspection (at his discretion) by the market administrator, (4) in cream frozen, (5) in inventory of fluid milk products or sour cream on hand at the end of the month, (6) in shrinkage allocated to producer milk that is not in excess of 2 percent of the receipts of skim milk and butterfat respectively, in producer milk, plus 1.5 percent of receipts of skim milk and butterfat, respectively, received in bulk tank lots from pool plants, less 1.5 percent of skim milk and butterfat, respectively, disposed of in bulk tank lots to pool plants, and (7) in shrinkage of other source milk.

§ 975.42 Shrinkage.

(a) If a handler has receipts of other source milk, shrinkage shall be prorated between producer milk and other source milk received in the form of fluid milk products in the ratio that 50 times the maximum quantity of skim milk or butterfat, respectively, pursuant to § 975.41(c) (6) bears to that in such other source milk; and

(b) Producer milk diverted by a handler from his pool plant to another

plant (pool or nonpool) without first having been received for the purposes of weighing in the diverting handler's pool plant shall be excluded from receipts at the diverting handler's pool plant and shall be included in the receipts of the plant to which such milk was diverted for the purpose of computing shrinkage.

§ 975.43 Transfers.

Skim milk or butterfat disposed of by a handler from a pool plant, including transfers or diversions made by a cooperative association shall be classified:

(a) As Class I milk if transferred or diverted in the form of fluid milk products to the pool plant of another handler except as:

(1) Utilization in another class is claimed by the operators of both plants in their reports submitted pursuant to § 975.30;

(2) The receiving handler has utilization in such class of an equivalent amount of skim milk and butterfat, respectively, after assignment of other source milk and beginning inventory of fluid milk products pursuant to §§ 975.46 and 975.47; and

(3) The classification of the skim milk or butterfat so transferred results in the classification at both plants that returns the highest valued class utilization to milk of producers at both plants.

(b) As Class I milk, if transferred to a producer-handler in the form of a fluid milk product;

(c) As Class I milk if transferred or diverted in the form of milk or skim milk in bulk to a nonpool plant located more than 265 miles from the Public Square in Cleveland, Ohio, by shortest highway distance as determined by the market administrator;

(d) As Class I milk if transferred or diverted to a nonpool plant located less than 265 miles from the Public Square in Cleveland, Ohio, in the form of milk or skim milk in bulk or to any nonpool plant in the form of cream in bulk unless all of the following conditions are met:

(1) The handler claims utilization in another class in his report submitted pursuant to § 975.30;

(2) The operator of the nonpool plant maintains books and records showing the receipts and utilization of all skim milk and butterfat at such plant which are made available upon request by the market administrator for audit; and

(3) Such receiving plant had actually used in the classification claimed an amount of skim milk or butterfat, respectively, equivalent to the total claimed in such classification by all handlers transferring or diverting milk from pool plants to such nonpool plant, plus that priced in a comparable class under another order on the basis of utilization in such plant. Should the equivalent utilization in the nonpool plant be less than the required total, a pro rata share of the excess shall be classified in the next higher priced available utilization.

§ 975.44 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be classified as Class I milk unless the

handler who first received such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

§ 975.45 Computation of the skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and for other obvious errors the monthly report of receipts and utilization submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk, and Class III milk for such handler: *Provided*, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of in such product shall be considered to be an amount equivalent to the nonfat milk solids contained in such product, plus all of the water reasonably associated with such solids in the form of whole milk.

§ 975.46 Allocation of butterfat classified.

The pounds of butterfat remaining after making the following computations shall be the pounds in each class allocated to producer milk:

(a) Subtract from the total pounds of butterfat in Class III utilization, the pounds of butterfat shrinkage allowed pursuant to § 975.41(c) (6);

(b) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest priced utilization, the pounds of butterfat in other source milk other than that to be subtracted pursuant to paragraph (c) of this section;

(c) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest priced utilization, the pounds of butterfat contained in other source milk received from a plant at which the handling of milk is fully subject to the classification and pricing provision of another order issued pursuant to the Act;

(d) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest priced utilization, the pounds of butterfat contained in inventory of fluid milk products on hand at the beginning of the month;

(e) Subtract from the butterfat remaining in each class the pounds of butterfat received from other handlers in such classes pursuant to § 975.43(a);

(f) Add to the remaining pounds of butterfat in Class III utilization the pounds of butterfat subtracted pursuant to paragraph (a) of this section; and

(g) If the remaining pounds of butterfat in all classes exceed the pounds of butterfat in milk received from producers, subtract such excess from the remaining pounds of butterfat in each class in series beginning with the lowest priced utilization. Any amount so subtracted shall be known as "overage".

§ 975.47 Allocation of skim milk.

Allocate the pounds of skim milk in each class to milk received from producers in a manner similar to that prescribed for butterfat in § 975.46.

§ 975.43 Computation of total producer milk in each class.

The amounts computed pursuant to §§ 975.46 and 975.47 shall be combined into one total for each class and the weighted average butterfat content of producer milk in each class determined.

MINIMUM PRICES

§ 975.50 Basic formula price.

The basic formula price per hundredweight of milk to be used in determining class prices for each month shall be the higher of the prices per hundredweight of milk of 3.5 percent butterfat content computed by the market administrator pursuant to paragraphs (a) and (b) of this section:

(a) The average of the basic (or field) prices ascertained to have been paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator by the Department of Agriculture or by the companies indicated below:

COMPANY AND LOCATION

Borden Co., Mt. Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus amounts pursuant to subparagraphs (1) and (2) of this paragraph:

(1) From the average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter for the month as reported by the Department of Agriculture for the Chicago market, subtract 3 cents, add 20 percent of the resulting amount and then multiply by 3.5; and

(2) From the simple average of the weighted averages of the carlot prices per pound of spray and roller process nonfat dry milk solids for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department of Agriculture, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.965.

§ 975.51 Class I milk prices.

The respective minimum prices per hundredweight to be paid by each handler, f.o.b. his plant for milk received from producers or from a cooperative association, during the month which is classified as Class I milk, shall be as follows, as computed by the market administrator:

(a) Add to the basic formula price the following amount for the period indicated:

Delivery period:	Amount
April through July	\$1.35
All others	1.80

and add or subtract a "supply-demand adjustment" computed as follows:

(1) Divide the total quantity of milk received from producers during the first and second months preceding by the gross quantity of milk utilized as Class I (exclusive of interhandler transfers) at pool plants in the same two months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "current utilization percentage".

(2) Compute a "deviation percentage" by subtracting from the current utilization percentage as computed in subparagraph (1) of this paragraph, the "standard utilization percentage" shown below:

Month for which the price is being computed:	Standard utilization percentage
January	123
February	123
March	123
April	129
May	130
June	140
July	148
August	141
September	127
October	126
November	128
December	130

(3) Determine the amount of the supply-demand adjustment from the following schedule:

Deviation percentage:	Amount of supply-demand adjustment (cents)
+13 or over	-25
+10 or +11	-19
+7 or +8	-13
+4 or +5	-7
+2 to -2	0
-4 or -5	+7
-7 or -8	+13
-10 or -11	+19
-13 or below	+25

When the deviation percentage does not fall within the tabulated brackets, the adjustment shall be determined by the adjacent bracket which is the same as or nearest to the bracket used in the previous month.

§ 975.52 Class II milk prices.

The minimum price per hundredweight to be paid by each handler, f.o.b. his plant, for producer milk of 3.5 percent butterfat content received from producers or from a cooperative association during the month, which is classified as Class II utilization, shall be the basic formula price, as computed pursuant to § 975.50, plus 30 cents.

§ 975.53 Class III milk prices.

The minimum price per hundredweight to be paid by each handler, f.o.b. his plant, for producer milk of 3.5 percent butterfat content received from producers or from a cooperative association during the month, which is classified as Class III utilization, shall be the basic formula price, as computed pursuant to § 975.50.

§ 975.54 Butterfat differentials to handlers.

If the average butterfat content of the milk of any handler allocated to any class is more or less than 3.5 percent, there shall be added to the prices of milk for each class as computed pursuant to

§§ 975.51, 975.52, and 975.53 for each one-tenth of one percent that the average butterfat content of such milk is above 3.5 percent, or subtracted for each one-tenth of one percent that such average butterfat content is below 3.5 percent, an amount equal to the average daily wholesale price per pound of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department of Agriculture during the month, multiplied by the following factors:

(a) *Class I milk.* Multiply by 1.3 and divide the result by 10;

(b) *Class II milk.* Multiply by 1.15 and divide the result by 10; and

(c) *Class III milk.* Multiply by 1.15 and divide the result by 10.

§ 975.55 Handler location adjustment.

For producer milk received at a pool plant or reload point located 40 miles or more from the Public Square in Cleveland, Ohio, and also 27.5 miles or more from the nearer of the City Hall in Akron, Ohio, or the City Hall in Canton, Ohio, the respective class prices for Class I and Class II utilization pursuant to §§ 975.51 and 975.52 shall be reduced at the rate specified below for the location of such plant or reload point:

(a) With respect to milk classified as Class I or Class II utilization without movement as a fluid milk product in bulk form to another pool plant;

(b) With respect to fluid milk products moved in bulk form to a pool plant described in § 975.8(a) in a volume not in excess of that computed in accordance with the following assignment:

(1) The volume by which an amount equal to 108 percent of Class I and Class II utilization at such transferee plant (including the volume assignable under the provisions of this subparagraph with respect to any transfers to a second such plant described in § 975.8(a)), exceeds receipts of producer milk at such plant will be assigned in sequence to (i) receipts in the form of fluid milk from reload points considered to be a part of such plant's operations, and (ii) to other receipts of fluid milk products from pool plants or reload points in the sequence at which the least total adjustment would apply.

(c) With respect to fluid milk products moved in bulk to pool plants described in § 975.8 (b), (c), or (d), in a volume not in excess of that by which (1) 108 percent of the Class I and Class II utilization specified in paragraph (a) of this section, plus (2) that assignable to such plant pursuant to paragraph (b) of this section exceeds receipts of producer milk at such plant, such volume to be assignable to transferor plants in the sequence provided in paragraph (b) of this section; and

(d) The rates of location adjustment credit shall be as follows, based on shortest highway distance from the Public Square in Cleveland, Ohio, as determined by the market administrator:

Distance:	Cents per hundredweight
40.1-60 miles	13
60.1-74 miles	20
plus 2 cents per hundredweight for each 14 miles or major fraction thereof in excess of 74 miles.	

§ 975.56 Equivalent price provision.

Whenever the provisions of this part require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining minimum class prices or for any other purpose and the specified price is not reported or published, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

DETERMINATION OF ELIGIBLE MILK QUOTA**§ 975.60 Determination of eligible milk quota for each producer.**

Subject to the rules set forth in § 975.61, the market administrator shall determine quotas for producers as follows: During each of the months of April through June, inclusive, the daily quota of each producer whose milk was received by a handler(s) on not less than thirty (30) days during the immediately preceding months of October through December, inclusive, shall be a quantity computed by dividing such producer's total pounds of milk delivered in the 3-month period by the number of days from the date of first delivery to the end of such 3-month period.

§ 975.61 Quota rules.

(a) Except as provided in paragraph (b) of this section, an eligible milk quota shall apply to deliveries of milk by the producer for whose account that milk was delivered to a handler(s) during the quota forming period;

(b) A daily quota may be transferred during the period of April through June by notifying the market administrator in writing before the first day of any month that such quota is to be transferred to the person named in such notice, but under the following conditions only:

(1) In the event of the death of a producer, the entire daily quota may be transferred to a member of such producer's immediate family who carries on the dairy operation on the same farm;

(2) If a quota is held jointly and such joint holding is terminated on the basis of written notice to the market administrator from the joint holders, the entire daily quota may be transferred to one of the joint holders, or divided in accordance with such notice between the former joint holders if they continue dairy farm operations; and

(c) In the case of producers delivering milk to a pool plant described in § 975.8(a) which first qualifies as such during any month from November through June, a daily average quota for each such producer shall be calculated pursuant to § 975.60 on the basis of his verifiable deliveries of milk to such plant during the period of October through December immediately preceding.

DETERMINATION OF UNIFORM PRICE**§ 975.70 Net obligation of handlers operating pool plants.**

The net obligation for milk received by each handler shall be computed as follows:

(a) Multiply the pounds of milk in each class computed pursuant to § 975.48 by the applicable class prices;

(b) Add an amount computed by multiplying the pounds of overage computed pursuant to § 975.46(g) and the corresponding step of § 975.47 by the applicable class prices;

(c) Add any amount obtained through multiplying by the difference between the Class III price for the preceding month and the Class I price for the current month the lesser of:

(1) The hundredweight of milk subtracted from Class I pursuant to § 975.46(d) and the corresponding step of § 975.47; or

(2) The hundredweight of producer milk classified as Class III utilization (except as shrinkage) for the preceding month;

(d) Add an amount obtained through multiplying by the difference between the Class III price for the preceding month and the Class II price for the current month the lesser of:

(1) The hundredweight of milk subtracted from Class II pursuant to § 975.46(d) and the corresponding step of § 975.47; or

(2) The hundredweight of producer milk classified as Class III utilization (except as shrinkage) for the preceding month less that subtracted from Class I pursuant to § 975.46(d) and the corresponding step of § 975.47.

(e) During any month in which the total receipts of producer milk (exclusive of milk diverted from the pool plant of another handler to a nonpool plant for the account of a cooperative association unless written evidence is furnished the market administrator that such milk was offered for delivery to a pool plant at class prices of the order) are more than 110 percent of the total Class I utilization at all pool plants add an amount equal to the difference between the values (subject to butterfat and location differentials) at the Class I price and the Class III price with respect to:

(1) Other source milk subtracted from Class I pursuant to § 975.46(b) and the corresponding step of § 975.47; and

(2) Milk in inventory subtracted from Class I pursuant to § 975.46(d) and the corresponding step of § 975.47 which is in excess of the sum of:

(i) The quantity of milk for which a payment is computed pursuant to paragraph (c) of this section; and

(ii) The quantity of milk subtracted from Class III pursuant to § 975.46(c) and the corresponding step of § 975.47 for the month preceding.

§ 975.71 Computation of uniform price.

For each month, the market administrator shall compute the "uniform price" per hundredweight for milk of 3.5 percent butterfat content for milk delivered to pool plants at which no location adjustments are applicable as follows:

(a) Combining into one total the values computed under § 975.70 for all handlers who reported pursuant to § 975.30 for such month, except those in default in payments required pursuant to § 975.84 for the preceding month;

(b) Adding the aggregate of the values of all allowable location adjustments computed at the maximum rates for the appropriate zones set forth in § 975.81;

(c) Add any amount paid into the producer-settlement fund and subtract any amount paid out of the producer-settlement fund pursuant to § 975.88(a);

(d) Adding an amount representing not less than one-half of the unobligated balance, in the producer-settlement fund;

(e) Subtracting, if the weighted average butterfat test of all milk received from producers represented by the values included in paragraph (a) of this section is greater than 3.5 percent or adding, if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed by multiplying the total pounds of butterfat represented by the variance of such weighted average butterfat test from 3.5 percent, by the butterfat differential computed pursuant to § 975.82 multiplied by 10;

(f) Dividing by the hundredweight of milk received from producers represented by the values included in paragraph (a) of this section; and

(g) Subtracting not less than 4 cents nor more than 5 cents.

§ 975.72 Computation of ineligible milk price.

For each of the months of April through June the market administrator shall compute the uniform price per hundredweight for ineligible milk of 3.5 percent butterfat content by:

(a) Computing the total value on a 3.5 percent butterfat basis of ineligible milk included in these computations by multiplying the hundredweight of such milk not in excess of the total quantity of Class II and Class III milk included in these computations by the price for Class III milk of 3.5 percent butterfat content, multiplying the hundredweight of such milk in excess of the total hundredweight of such Class II and Class III milk by the price for Class I milk of 3.5 percent butterfat content, and adding together the resulting amounts; and

(b) Dividing the total value of ineligible milk obtained in paragraph (a) of this section by the total hundredweight of such milk, and adjusting to the nearest cent.

§ 975.73 Computation of eligible milk price.

For each of the months of April through June the market administrator shall compute the uniform price per hundredweight for eligible milk of 3.5 percent butterfat content f.o.b. the marketing area, received from producers by:

(a) Subtracting the value of ineligible milk obtained in § 975.72(a) from the aggregate value of milk computed pursuant to § 975.70 (a) through (e) and adjusting by any amount involved in adjusting the uniform price of ineligible milk to the nearest cent;

(b) Dividing the amount obtained in paragraph (a) of this section by the total hundredweight of eligible milk included in these computations; and

(c) Subtracting not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (b) of this section.

§ 975.74 Notification.

On or before the 14th day after each month the market administrator shall

notify each handler who submitted a report for the preceding month pursuant to § 975.30 of:

(a) The classification pursuant to §§ 975.46 and 975.47 of skim milk and butterfat contained in producer milk received by such handler during the month and the value of such milk computed pursuant to § 975.70;

(b) The uniform prices for the month computed pursuant to §§ 975.71, 975.72, and 975.73; and

(c) The amount due such handler pursuant to § 975.85 and the amount to be paid by such handler pursuant to §§ 975.84, 975.86, and 975.87.

PAYMENTS

§ 975.80 Time and method of payment.

(a) Except as provided by paragraph (b) of this section, on or before the 18th day of each month, each handler (except a cooperative association) shall pay each producer for milk received from him during the preceding month, not less than an amount of money computed by multiplying the total pounds of such milk by the applicable uniform price(s) pursuant to § 975.71 or §§ 975.72 and 975.73 adjusted by the butterfat and location differentials pursuant to §§ 975.81 and 975.82, and less any proper deductions authorized by the producer, including advance payments made pursuant to paragraph (c) of this section: *Provided*, That if by such date such handler has not received full payment for such month pursuant to § 975.85 he may reduce such payments uniformly per hundredweight for all producers, by an amount not in excess of the per hundredweight reduction in payment from the market administrator; however, the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator.

(b) (1) Upon receipt of a written request from a cooperative association which the Secretary determines is authorized by its members to collect payment for their milk and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the association, each handler shall pay to the cooperative association on or before the 16th day of each month, in lieu of payments pursuant to paragraph (a) of this section an amount equal to the gross sum due for all milk received from certified members, less amounts owing by each member-producer to the handler for supplies purchased from him on prior written order or as evidenced by a delivery ticket signed by the producer and submit to the cooperative association written information which shows for each such member-producer (i) the total pounds of milk received from him during the preceding month, (ii) the total pounds of butterfat contained in such milk, (iii) the number of days on which milk was received, and (iv) the amounts withheld by the handler in payment for supplies sold. The foregoing payment and

submission of information shall be made with respect to milk of each producer whom the cooperative association certifies is a member, which is received on and after the first day of the calendar month next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the association;

(2) A copy of each such request, promise to reimburse and certified list of members shall be filed simultaneously with the market administrator by the association and shall be subject to verification at his discretion, through audit of the records of the cooperative association pertaining thereto. Exceptions, if any, to the accuracy of such certification by a producer claimed to be a member, or by a handler shall be made by written notice to the market administrator, and shall be subject to his determination;

(c) Upon written request filed with him on or before the 15th day of the month by a producer, or by a cooperative association which collects payments pursuant to paragraph (b) of this section, each handler shall make advance payment as follows:

(1) On or before the last day of the month, to each such producer who has not discontinued delivery of milk to such handler, an amount not less than the value of milk received from such producer during the first 15 days of such month computed at the Class III price for 3.5 percent milk for the preceding month, without deduction for hauling;

(2) On or before the 27th day of the month, to the cooperative association, with respect to milk received during the first 15 days of the month from certified members specified in the request for advance payment, an amount not less than the aggregate value of such milk at the Class III price for 3.5 percent milk for the preceding month, without deduction for hauling; and

(d) On or before the 15th day after the end of each month, each handler shall pay a cooperative association which is a handler, with respect to milk received by him from a pool plant operated by such cooperative association, not less than an amount computed by multiplying the minimum prices for milk in each class, subject to the applicable location adjustment provided by § 975.55 and the butterfat differential provided by § 975.54, by the hundredweight of milk in each class pursuant to §§ 975.46 and 975.47.

§ 975.81 Location adjustments to producers.

In making payments pursuant to paragraphs (a) and (b) of § 975.80, a handler may deduct with respect to eligible milk received from producers during the months specified in § 975.60 and with respect to all milk received from producers at a pool plant or reload point located 40 miles or more from the Public Square in Cleveland, Ohio, and also 27.5 miles or more from the nearer of the City Hall in Akron, Ohio, or the City Hall in Canton, Ohio, by the shortest highway

distance as determined by the market administrator, at the rates specified in § 975.55 based on mileage measured from Public Square in Cleveland, Ohio.

§ 975.82 Butterfat differential.

In making payments pursuant to paragraphs (a) and (b) of § 975.80 there shall be added to or subtracted from the uniform price per hundredweight, for each one-tenth of 1 percent of such butterfat content in milk above or below 3.5 percent, as the case may be, a butterfat differential equal to the average of the butterfat differentials determined pursuant to paragraphs (a), (b), and (c) of § 975.54 weighted by the pounds of butterfat in producer milk in Classes I, II, and III, respectively, with the result rounded to the nearest tenth of a cent.

§ 975.83 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund, known as the "producer-settlement fund", into which he shall deposit all payments made pursuant to § 975.84 and out of which he shall make all payments pursuant to § 975.85.

§ 975.84 Payments to the producer-settlement fund.

On or before the 16th day after the end of the month each handler shall make payments to the market administrator as follows:

(a) If the value of milk received by a handler in the month as computed pursuant to § 975.70 exceeds the amount which such handler is required to pay all producers pursuant to § 975.80 such handler shall pay the difference between the two amounts; and

(b) Except as exempted pursuant to §§ 975.90, 975.91 and 975.92 each handler who operates during the month a non-pool plant out of which a route(s) was operated which extended into the marketing area an amount equal to the total hundredweight of fluid milk products so disposed of multiplied by the difference between the Class I price adjusted for location and butterfat and the Class III price.

§ 975.85 Payments out of the producer-settlement fund.

On or before the 17th day after the end of each month, the market administrator shall pay to each handler the amount by which such handler's value pursuant to § 975.70 is less than the total minimum amount required to be paid by him pursuant to paragraphs (a) and (b) of § 975.80 less any unpaid obligations of such handler to the market administrator pursuant to §§ 975.84, 975.86, 975.87, or § 975.88: *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments to all such handlers pursuant to this paragraph the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds become available.

§ 975.86 Expense of administration.

As his pro rata share of the expense of administration of this part, each handler shall pay to the market adminis-

trator on or before the 16th day after the end of each month three cents per hundredweight, or such amount not exceeding three cents per hundredweight as the Secretary may prescribe with respect to:

(a) All receipts within the month of milk from producers, including milk of such handler's own production;

(b) Any other source milk allocated to Class I pursuant to § 975.46(b) and the corresponding step of § 975.47; and

(c) The amount of milk for which a payment is computed pursuant to § 975.84(b).

§ 975.87 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler in making payments to producers pursuant to paragraphs (a) and (b) of § 975.80, with respect to all milk received from each producer (except milk of such handler's own production) at a plant, not operated by a cooperative association of which such producer is a member, shall deduct five cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe, to be announced by the market administrator on or before the 14th day after the end of each month; and, on or before the 16th day after the end of such month, shall pay such deductions to the market administrator. Such monies shall be expended by the market administrator to verify weights, samples, and tests of the milk of such producers and to provide such producers with market information; such services to be performed in whole or in part by the market administrator, or by an agent engaged by and responsible to him;

(b) In the case of producers whose milk is received at a plant, not operated by a cooperative association of which such producers are members, and for whom a cooperative association is actually performing the services described in paragraph (a) of this section, as determined by the market administrator, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section such deductions from payments required pursuant to paragraphs (a) and (b) of § 975.80 as may be authorized by such producers, and pay such deductions on or before the 16th day after the end of each month to the cooperative association rendering such services and of which such producers are members.

§ 975.88 Adjustment of accounts.

(a) *Payments.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses adjustments to be made, for any reason, which result in monies due (1) the market administrator from such handler, (2) such handler from the market administrator, or (3) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any such amount due, and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred, following the 5th day after such notice.

(b) *Overdue accounts.* Any unpaid obligation of a handler or of the market administrator pursuant to §§ 975.84, 975.85, 975.86, 975.87 or paragraph (a) of this section shall be increased one-half of one percent on the first day of the calendar month next following the due date of such obligation and, on the first day of each calendar month thereafter until such obligation is paid.

§ 975.89 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers; the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the months during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives;

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed;

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the

market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15) (A) of the Act, a petition claiming such money.

APPLICATION OF PROVISIONS

§ 975.90 Milk subject to other Federal orders.

Milk received at the plant of a handler at which the handling of milk is fully subject during the month to the pricing and payment provisions of another marketing agreement or order issued pursuant to the Act and from which the disposition of Class I milk in the other Federal marketing area exceeds that in the Northeastern Ohio marketing area shall be exempted for such month from all provisions of this part except §§ 975.31, 975.32, 975.33 and 975.34 unless the Secretary determines that the applicable order should more appropriately be determined on some other basis.

§ 975.91 Handler exemption.

A handler who operates a plant described in §§ 975.8(a) or 975.9 located outside the marketing area from which an average of less than 300 points (one point being defined as one-half pint of cream or one quart of any other fluid milk product) of Class I milk per day is disposed of during the month on a route(s) operated wholly or partly within the marketing area shall be exempted for such month from all provisions of this part except §§ 975.31, 975.32, 975.33 and 975.34.

§ 975.92 Producer-handler.

A producer-handler shall be exempt from all provisions of this subpart except §§ 975.31, 975.33 and 975.34.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 975.100 Effective time.

The provisions of this part or of any amendment to this part, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 975.101 Suspension or termination.

The Secretary shall, whenever he finds that this part, or any provisions of this part, obstructs or does not tend to effectuate the declared policy of the Act, terminate or suspend the operation of this part or any such provision of this part.

§ 975.102 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations under this part the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 975.103 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business

of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 975.110 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 975.111 Separability of provisions.

If any provision of this part or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Issued at Washington, D.C., this 22d day of July 1959, to be effective on and after the 1st day of August 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-6183; Filed, July 27, 1959; 8:50 a.m.]

SUBCHAPTER B—PROHIBITIONS OF IMPORTED COMMODITIES

[Avocado Reg. No. 7, Amdt. 1]

PART 1067—AVOCADOS

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), paragraph (a) (4) of § 1067.7 (Avocado Regulation No. 7; 24 F.R. 5825) is hereby amended to read as follows:

(4) Avocados of the Trapp variety shall not be imported (i) prior to 12:01 a.m., e.s.t., August 3, 1959, unless the individual fruit in each lot of such avocados weighs at least 14 ounces or measures at least $3\frac{3}{16}$ inches in diameter; and (ii) during the period beginning at 12:01 a.m., e.s.t., August 3, 1959, and ending at 12:01 a.m., e.s.t., August 31, 1959, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least $3\frac{3}{16}$ inches in diameter.

Findings and determinations. (a) It is hereby determined, on the basis of the further information which is now available, that the requirements set forth in this amendment are comparable to the maturity regulation presently in

effect for the same type of Florida avocados pursuant to the marketing agreement and Order No. 69, as amended (7 CFR 969) regulating the handling of avocados grown in south Florida.

(b) It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective time of this amendment beyond that herein-after specified (5 U.S.C. 1001 et seq.) because (1) this amendment of the existing import regulations is necessary to effectuate the purposes of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674); (2) compliance with this amendment to the avocado import restrictions will not require any special preparation which cannot be completed by the effective time; and (3) this amendment relieves restrictions on the importation of the Trapp variety of avocados into the United States.

Effective time. The provisions of this amendment shall become effective at 12:02 a.m., e.s.t., July 27, 1959.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 23, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-6194; Filed, July 27, 1959; 8:51 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

SUBCHAPTER B—FARM OWNERSHIP LOANS

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

Average Values of Farms; Tennessee and Texas

On July 14, 1959, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average values of efficient family-type farm management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 331.17, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

TENNESSEE

County	Average value
Anderson	\$25,000
Bedford	25,000
Benton	20,000
Bledsoe	23,000
Blount	29,000
Bradley	23,000
Campbell	22,000
Cannon	25,000
Carroll	23,000

TENNESSEE—Continued

County	Average value
Carter	\$24,000
Cheatham	23,000
Chester	22,000
Clairborne	22,000
Clay	23,000
Cocke	24,000
Coffee	23,000
Crockett	26,000
Cumberland	23,000
Davidson	31,000
Decatur	25,000
De Kalb	25,000
Dickson	22,000
Dyer	31,000
Fayette	26,000
Fentress	23,000
Franklin	25,000
Gibson	26,000
Giles	25,000
Grainger	24,000
Greene	27,000
Grundy	20,000
Hamblen	26,000
Hamilton	23,000
Hancock	20,000
Hardeman	24,000
Hardin	23,000
Hawkins	22,000
Haywood	26,000
Henderson	25,000
Henry	25,000
Hickman	23,000
Houston	22,000
Humphreys	22,000
Jackson	22,000
Jefferson	26,000
Johnson	23,000
Knox	30,000
Lake	38,000
Lauderdale	31,000
Lawrence	23,000
Lewis	18,000
Lincoln	25,000
Loudon	23,000
McMinn	23,000
McNairy	23,000
Macon	20,000
Madison	25,000
Marion	23,000
Marshall	25,000
Maury	28,000
Meigs	21,000
Monroe	23,000
Montgomery	25,000
Moore	23,000
Morgan	24,000
Obion	30,000
Overton	23,000
Perry	21,000
Pickett	23,000
Polk	23,000
Putnam	24,000
Rhea	22,000
Roane	22,000
Robertson	27,000
Rutherford	27,000
Scott	23,000
Sequatchie	23,000
Sevier	27,000
Shelby	30,000
Smith	25,000
Stewart	21,000
Sullivan	26,000
Sumner	25,000
Tipton	28,000
Trousdale	23,000
Unicoi	21,000
Union	23,000
Van Buren	22,000
Warren	25,000
Washington	28,000
Wayne	20,000
Weakley	24,000
White	24,000
Williamson	28,000
Wilson	25,000

TEXAS

County	Average value
Bell	\$40,000
Bosque	40,000
Burnet	40,000
Childress	40,000
Coryell	40,000
Cottle	40,000
Gonzales	40,000
Hamilton	40,000
Harris	40,000
Haskell	40,000
Hopkins	23,000

(Sec. 41, 50 Stat. 528, as amended; 7 U.S.C. 1015; Order of Acting Sec. of Agric. 19 F.R. 74, 77, 22 F.R. 8188)

Dated: July 22, 1959.

H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F.R. Doc. 59-6184; Filed, July 27, 1959;
8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket 75; Amdt. 32]

PART 507—AIRWORTHINESS DIRECTIVES

Miscellaneous Amendments

As a result of failure of an engine driven hydraulic pump on a Boeing 707-100 series aircraft, replacement or modification is necessary.

A satisfactory reinforcement has been designed for the wing surface plank cracks which have been inspected daily on Lockheed 188A aircraft. Instructions regarding this rework are now covered in a new directive which supersedes 59-13-3 as it appeared in 24 F.R. 5534.

For the reasons stated above, the Administrator finds that corrective action is required in the interest of safety, that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing § 507.10(a) is amended by adding the following new airworthiness directives:

59-16-5 BOEING. Applies to 707-100 Series aircraft with the following Serial Numbers: Model 707-121 Serial Numbers 17586 through 17591, Model 707-124 Serial Number 17609, Model 707-123 Serial Numbers 17628 through 17643, Model 707-131 Serial Numbers 17659 through 17672, Model VC-137A Serial Numbers 17925 through 17927.

Compliance required not later than August 21, 1959.

As a result of complete loss of fluid during service operation of the utility hydraulic system, primarily due to failure of engine driven hydraulic pump the following must be accomplished:

(a) Install new pump, Vickers No. AS-61689-L-2E, in place of the AS-61689-L-2B or -2C, or install pump external by-pass valve No. A-90073-Y6 with the -2B or -2C pump. If the pump external by-pass valve is installed the shaft seal on each hydraulic pump must be replaced at the same time.

(b) Install return line filter.

(Boeing Service Bulletin No. 379 and Vickers Service Letter dated June 17, 1959, pertain to item (a). Boeing Service Bulletins Nos. 69 and 213 pertain to item (b).)

59-16-6 LOCKHEED. Applies to all Lockheed Model 188A aircraft.

Compliance required as indicated.

On a daily basis, visually inspect the No. 4 upper wing surface plank, left and right side, for spanwise cracks. The area affected is adjacent to the outboard side of No. 2 and No. 3 nacelle attach angles (approximately wing Sta. 209) particularly near the forward edge of the plank. Continue the daily inspection until an approved reinforcement designed to preclude cracking is installed. Lockheed Service Bulletin No. 188/SB-306 describes a satisfactory reinforcement. In any event, reinforcement must be installed by January 1, 1960.

If cracks are found, FAA approved repair and reinforcement is required prior to further operation. A one time ferry to a main base is permissible. Upon installation of the above reinforcement, or the reinforcement and repair, the daily inspections may be discontinued. Eastern Airlines sketches 62059 and 62259 both revised June 25, 1959, are also considered satisfactory for this purpose. This supersedes AD 59-13-3.

This amendment shall become effective immediately.

Issued in Washington, D.C., on July 24, 1959.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-6230; Filed, July 27, 1959;
8:53 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7338 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Charles Ford & Associates of the Midwest, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Connections or arrangements with others; financing activities; service; § 13.185 Refunds, repairs, and replacements.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Charles Ford & Associates of the Midwest, Inc., et al., Chicago, Ill., Docket 7338, July 1, 1959]

In the Matter of Charles Ford & Associates of the Midwest, Inc., a Corporation, and Charles C. Solk, Donald Karol and Gerald Newman, Individually and as Officers of Said Corporation; Casey and Associates, Incorporated, a Corporation, and Emmet R. Casey, Charles C. Solk, Donald Karol and Gerald Newman, Individually and as Officers of Said Corporation; and Carl F. Strodel, A. R. O'Rourke and George B. Bry, Individually

This proceeding was heard by a hearing examiner on the complaint of the

Commission charging two affiliated Chicago concerns with obtaining advance fees from businessmen seeking loan and property owners wanting to sell, by offering false inducements including representations that they were affiliated with lending institutions which would make loans to anyone they recommended, and that even larger loans than those requested would be obtained for those paying the fee; that they had ready buyers interested in the specific properties, asking prices of which should be increased; and that the advance fees would be refunded if the loans were not procured or the properties sold.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on July 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Charles Ford & Associates of the Midwest, Inc., a corporation, and its officers and Charles C. Solk, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any other corporate device, in connection with the offering for sale or sale of advertising in any advertising media, or of other services and facilities in connection with the offering for sale, selling, buying or exchanging of business or any other kind of property, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Respondents have available prospective buyers who are interested in the purchase of the specific property sought to be listed or advertised.

2. Respondents will finance the purchase of the listed property.

3. The property is underpriced by the owner or that the asking price should be increased or that respondents can or will sell the property at the increased price.

4. Respondents assume all risks or obligations in connection with their activities in listing or attempting to sell the listed property, or that the owner or prospective borrower has nothing to lose.

5. Respondents are associated with large numbers of cooperating brokers who will assist in the sale of listed property.

6. The listing or advance fee will be refunded if the property is not sold within a short period of time.

7. Property listed with respondents will be sold within a short period of time, or that the sale is guaranteed, or that respondents have sold the property of others, who listed it with them, within a few weeks or other short period of time.

It is further ordered, That respondents Casey and Associates, Incorporated, a corporation, and its officers and Charles C. Solk, individually and as an officer of said corporation, Emmet R. Casey, individually and as a former officer of said corporation, and George B. Bry, individually, and respondents' representatives, agents and employees, directly or through any corporate or other device,

in connection with the offering for sale, or sale, of services to obtain loans for, or financial assistance to, businessmen or others, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Respondents will obtain loans within a short period of time.

2. Respondents will refund the fee paid in the event they do not obtain a loan.

3. Respondents can and will obtain larger loans than the loans requested by businessmen.

4. Respondents are agents of, correspondents for, or are affiliated with banks, insurance companies, or other lending and financing institutions.

5. Banks or other lending institutions will make loans to anyone recommended by respondents.

6. Respondents have obtained loans within short periods of time for other businessmen.

7. Respondents' principal business is that of business consultants and that their service in obtaining loans is only a part of their principal business.

It is further ordered, That the complaint be and the same hereby is dismissed as to respondents Donald Karol and Gerald Newman, individually and as officers of said corporations, and Carl F. Strodel and A. R. O'Rourke, individually, without prejudice to the right of the Commission to take such action in the future as may be warranted by the then existing conditions.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents, except those against whom the complaint has been dismissed, shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 1, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-6152; Filed, July 27, 1959;
8:45 a.m.]

[Docket 7238 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Charles F. Gomez et al.

Subpart—*Advertising falsely or misleadingly*: § 13.60 *Earnings and profits*; § 13.115 *Jobs and employment service*; Government; § 13.143 *Opportunities*; § 13.205 *Scientific or other relevant facts*. Subpart—*Furnishing means and instrumentalities of misrepresentation or deception*: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—

Misrepresenting oneself and goods—Goods: § 13.1615 *Earnings and profits*; § 13.1670 *Jobs and employment*; Government; § 13.1697 *Opportunities in product or service*; § 13.1740 *Scientific or other relevant facts*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Charles F. Gomez trading as Western Coaching Bureau (San Francisco, Calif.) et al., Docket 7238, July 1, 1959; and Robert J. Gartner trading as Universal Extension Service, Grand Island, Nebr., Docket 7238, July 4, 1959]

In the Matter of Charles F. Gomez, Trading as Western Coaching Bureau, Marie Gomez, an Individual, Roy Huston, Trading as National Extension Service, James A. Sundstrom, Trading as Western Training Service, and Robert J. Gartner, Trading as Universal Extension Service

This proceeding was heard by a hearing examiner on the complaint of the Commission charging the supplier and three distributors of a correspondence course on Civil Service preparation with representing falsely that they were connected with the U.S. Government and that persons completing the course were guaranteed Government jobs, and with misrepresenting the availability and salaries of Civil Service positions.

Following acceptance of agreements containing consent orders, the hearing examiner made two initial decisions on two separate dates, one with respect to three respondents and the other for the remaining distributor, which initial decisions became on July 1 and July 4, respectively, the decisions of the Commission.

The order to cease and desist, including all respondents, is as follows:

It is ordered, That respondents Charles F. Gomez, individually and doing business under the name of Western Coaching Bureau, or under any other name; Marie Gomez, individually; respondent James A. Sundstrom, individually and doing business under the name of Western Training Service, or under any other name; respondent Roy Huston, individually and doing business under the name of National Extension Service; and respondent Robert J. Gartner, individually and doing business under the name of Universal Extension Service, or under any other name, and their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of courses of study and instruction, do forthwith cease and desist from representing, directly or indirectly, that:

1. There are vacancies for any specified United States Civil Service positions, when such vacancies do not exist;

2. Positions in the United States Civil Service which may be open are available to all persons;

3. Positions in the United States Civil Service which are restricted to any group

¹ New.

or otherwise restricted or require certain qualifications are open, unless the fact that such restrictions and qualifications exist is clearly set forth;

4. The starting salary, or any other salary, that may be received by persons receiving a Civil Service appointment is higher than is the fact;

5. Their said business, their agents or representatives, or any one of them, has any connection with the United States Civil Service Commission, any agency thereof, or any other agency of the United States Government;

6. Completion of respondents' course of instruction makes persons eligible for appointment to, or assures them of or guarantees United States Civil Service positions.

By "Decision of the Commission", etc., under two separate dates as aforesaid, reports of compliance were required as follows:

It is ordered, That the above-named respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 1 (and June 9, 1959).

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-6153; Filed, July 27, 1959;
8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 54900]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Extension of Limits of Customs Port of Brownsville, Texas

JULY 21, 1959.

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, 1951 Supp., Ch. II), the limits of the customs port of entry of Brownsville, Texas, in Customs Collection District No. 23 (Laredo), comprising the territory within the corporate limits of Brownsville and including the territory described in Executive Order 7474, 1 F.R. 1642 (T.D. 48589), are hereby extended to include the Brownsville Ship Channel; an area approximately 1750' x 2800' comprising the Brownsville Shrimp Basin located adjacent to the north side of the Brownsville Ship Channel 4.3 miles east of the Brownsville ship basin; the Port Isabel Ship Channel; and the area within the corporate limits of the city of Port Isabel. The customs station of Port Isabel, which is within

the territory described above, will become a part of the port of entry of Brownsville.

Section 1.1(c), Customs Regulations, is amended by deleting "*Brownsville (including territory described in E.O. 7474, Oct. 17, 1936; 1 F.R. 1642)" and adding "*Brownsville, Texas (including territory described in T.D. 54900)" in the column headed "Ports of entry" in District No. 23 (Laredo).

Section 1.2(d) of the Customs Regulations, is amended by deleting "Port Isabel, Tex." and "Brownsville" from the columns headed "Customs Stations" and "Port of entry having supervision", respectively, in District No. 23.

(R.S. 161, as amended, 251, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended; 5 U.S.C. 22, 19 U.S.C. 1, 2, 66) [MC 192-23.1]

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-6191; Filed, July 27, 1959;
8:51 a.m.]

[T.D. 54901]

PART 8—LIABILITY FOR DUTIES: ENTRY OF IMPORTED MERCHANDISE

Use of Informal Entry Prepared on Certain Non-Serially-Numbered Customs Form

To make it clear that an informal entry prepared on a non-serially-numbered customs Form 5119 or 5119-A must be presented by an importer or his agent to a customs cashier or acting cashier to whom the duties and taxes shall be paid and by whom the entry shall be numbered, § 8.51 of the Customs Regulations is amended by substituting the following in lieu of the first sentence of paragraph (a): "Merchandise not exceeding \$250 in value, unless falling within the provisions of § 8.50, may be entered on a customs Form 5119 or 5119-A. The non-serially-numbered customs Form 5119 or 5119-A may be prepared by importers or their agents or by customs officers when it can be presented to a customs cashier or acting cashier for payment of duties and taxes and for numbering of the entry before the merchandise is examined by a customs officer. The serially-numbered customs Form 5119 or 5119-A must be prepared by customs officers when the merchandise is to be cleared at a time or place where there is no customs cashier or acting cashier."

(R.S. 161, 251, sec. 498(a), sec. 624, 46 Stat. 728 as amended, 759, 5 U.S.C. 22, 19 U.S.C. 66, 1498(a), 1624)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: July 21, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-6192; Filed, July 27, 1959;
8:51 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

PART 204—DANGER ZONE REGULATIONS

Bayou Lafourche, La.; Pacific Ocean, Hawaii

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 governing the operation of drawbridges across navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets, where constant attendance of draw tenders is not required, is hereby amended prescribing paragraph (j) (1-a) to govern the operation of the Louisiana Department of Highways bridge at Thibodaux, Louisiana, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(j) *Waterways discharging into Gulf of Mexico west of Mississippi River.*

* * *

(1-a) Bayou Lafourche, Louisiana Department of Highways bridge at Thibodaux. At least 48 hours' advance notice required.

[Regs., July 10, 1959, 285/91 (Bayou Lafourche, La.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriation Act of July 9, 1918 (40 Stat. 892; 33 U.S.C. 3), § 204.223a is hereby prescribed establishing and governing the use and navigation of a danger zone in the Pacific Ocean at the Island of Oahu, Hawaii, as follows:

§ 204.223a Pacific Ocean, Island of Oahu, Hawaii; danger zone.

(a) *The danger zone.* Beginning at point of origin at Kaena Point Light in latitude 21°34'42" N., longitude 158°16'54" W.; thence on a bearing of 282°30' True to latitude 21°38' N., longitude 158°33' W.; thence along the arc of a circle centered at Kaena Point Light to latitude 21°42'30" N., longitude 158°03' W.; thence on a bearing of 228° True to latitude 21°35'33" N., longitude 158°11'30" W.; thence to point of origin.

(b) *The regulations.* (1) The area will be closed to all shipping on specific dates to be designated for actual firing and no vessel or other craft shall enter or remain in the area during the times

designated for firing except as may be authorized by the enforcing agency. Notification to maritime interests of specific dates of firing will be disseminated through the U.S. Coast Guard media of the Local Notice to Mariners and the NOTAMS published by the Corps of Engineers. On dates not specified for firing, the area will be open to normal maritime traffic.

(2) The regulations of this section shall be enforced by the Commanding General, United States Army, Hawaii/25th Infantry Division, APO 957, and such agencies as he may designate.

[Regs., July 13, 1959. 285/91 (Pacific Ocean, Hawaii)—ENGWO] (40 Stat. 266, 892; 33 U.S.C. 1, 3)

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59-6149; Filed, July 27, 1959;
8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

Glacier National Park

By notice of proposed rule making published in the FEDERAL REGISTER on April 22, 1959 (24 F.R. 3113), interested persons were invited to submit written comments, suggestions, or objections on the proposed amendment, by the Superintendent thereof, of the Glacier National Park, Montana, special regulations. Such written comments, suggestions, or objections were required to be filed with the Superintendent of Glacier National Park, West Glacier, Montana, within thirty days from the publication of the notice in the FEDERAL REGISTER.

No comments, suggestions, or objections having been received in response to the said notice, the following amendment, to become effective upon publication in the FEDERAL REGISTER, is adopted:

1. Paragraph (a) *Fishing; open season*, of § 20.3 *Glacier National Park*, is amended to read as follows:

(a) *Fishing; open season.* All waters within the Park are open to fishing in conformance with the State of Montana open season for high mountain streams and shall close at 10:00 p.m. on October 15, subject to the following exceptions and restrictions:

(1) Hours of fishing: 5:00 a.m. to 10:00 p.m.

(2) The open season on the Glacier National Park section of Waterton Lake shall conform to the Canadian season for this lake.

(3) All waters of the Waterton and Belly River drainages, except Waterton Lake, shall be closed to fishing after 10:00 p.m. on October 1.

(4) The open season on the Middle and North Forks of the Flathead River will conform to the Montana season for those waters, except that on the Park side the season will close October 15.

(5) Midvale and Hidden Creeks are closed to fishing at all times.

(6) Hidden Lake; Logging Creek, from the head of Logging Lake and including Grace Lake; Quartz Creek, between Lower Quartz Lake and Quartz Lake; and Kintla Creek, between Kintla Lake and Upper Kintla Lake, shall be open to fishing from July 1 to October 15, inclusive.

2. Paragraph (b) *Fishing; limit of catch and in possession*, of § 20.3 *Glacier National Park*, is amended to read as follows:

(b) *Fishing; limit of catch and in possession*. (1) The limit of catch per fisherman per day shall be 15 pounds of fish (dressed weight with heads and tails intact) and one fish, not exceeding in the aggregate 10 fish.

(2) Possession of more than one day's catch limit by any person at any time is prohibited.

3. Paragraph (c) *Fishing; bait; licenses*, of § 20.3 *Glacier National Park*, is amended to read as follows:

(c) *Fishing; bait; licenses*. (1) Fishing for merchandise or profit is prohibited.

(2) The possession or use for bait, of salmon eggs or other fish spawn, or any imitation thereof, or substance prepared therefrom, is prohibited.

(3) A fishing license is not required to fish in the waters of the Park.

(Sec. 3, 39 Stat. 535, as amended; 16 U.S.C., 1952 ed., sec. 3)

Issued this 22d day of June 1959.

EDWARD A. HUMMEL,
Superintendent,
Glacier National Park.

[F.R. Doc. 59-6163; Filed, July 27, 1959;
8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1914]

[1966027]

[Los Angeles 0135132]

CALIFORNIA

Withdrawing Public Land for Use of Department of the Navy as Addition to Area Reserved by Public Land Order No. 293 of August 8, 1945 (Camp Pendleton)

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Cali-

fornia is hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and also, the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Navy for military purposes as an addition to those withdrawn by Public Land Order No. 293:

SAN BERNARDINO MERIDIAN

T. 9 S., R. 5 W.,
Sec. 3, lots 1, 2 and 3.

The areas described contain 80.87 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6154; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1915]

[Colorado 024419]

COLORADO

Withdrawing Public Lands Within San Isabel National Forest for Use of Forest Service as Recreation Areas and Picnic Grounds

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the San Isabel National Forest in Colorado are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral-leasing laws nor the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Forest Service, Department of Agriculture, for recreation areas and picnic grounds:

NEW MEXICO PRINCIPAL MERIDIAN

SAN ISABEL NATIONAL FOREST

Hayden Creek Picnic Ground

T. 47 N., R. 10 E.
Sec. 11, $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 13, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.
Totaling 230 acres.

Rainbow Lake Picnic Ground

T. 46 N., R. 11 E.
Sec. 12, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.
Totaling 90 acres.

Brush Creek Lakes Recreation Area

T. 46 N., R. 11 E.
Sec. 25, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
Totaling 300 acres.

Swift Creek Picnic Ground

T. 45 N., R. 12 E.
Sec. 14, S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Totaling 180 acres.

Cloud Lakes Recreation Area

T. 45 N., R. 12 E.
Sec. 21, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.
Totaling 170 acres.

Balman Reservoir Picnic Ground

T. 46 N., R. 12 E.
Sec. 6, lots 6, 7, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Totaling 120.65 acres.

Brush Creek Picnic Ground

T. 46 N., R. 12 E.
Sec. 28, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$.
Totaling 80 acres.

South Brush Creek Picnic Ground

T. 46 N., R. 12 E.
Sec. 33, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Totaling 80 acres.

The areas withdrawn by this order aggregate 1,250.65 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6155; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1916]

[82223]

ALASKA

Excluding Lands From Chugach National Forest and Restoring Them for Purchase as Homesites

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The following-described public lands in Alaska are hereby eliminated from the Chugach National Forest, and the boundaries of said forest are adjusted accordingly:

United States Survey No. 3531, lot 6, 1.74 acres latitude 60°29'30" N., longitude 149°47' W. (Homesite No. 171).

United States Survey No. 2525, lot 14, 4.32 acres; latitude 60°30'05" N., longitude 149°47' W. (Homesite No. 126).

United States Survey No. 2757, lot 4, 5.0 acres; latitude 60°55'26" N., longitude 149°39' 20" W. (Homesite No. 178).

The lands are hereby opened, pursuant to section 10 of the act of May 14, 1898 (30 Stat. 409) as amended by the act of May 26, 1934 (48 Stat. 809; 48 U.S.C. 461), to application by holders of permits issued by the Department of Agriculture, who own valuable improvements thereon and whose permits will be terminated by reason of this elimination. The lands will not be subject to any other form of appropriation under the public land laws unless a further order is issued by an appropriate officer of the Bureau of Land

Management opening the lands to such disposition.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6156; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1917]

[Fairbanks 012895]

ALASKA

Withdrawing Public Lands for Use of Department of the Army Additional to Those Withdrawn by Public Land Order No. 1345 of August 16, 1956

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Army for military purposes as an addition to those withdrawn by Public Land Order No. 1345 of October 16, 1956 as amended by Public Land Order No. 1523:

FAIRBANKS MERIDIAN

T. 2 S., R. 3 E.,
Sec. 7, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described contain 15 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6157; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1918]

[Oregon 06373]

OREGON

Withdrawing Lands Within Rogue River National Forest for Use of Forest Service as Recreation Area

By virtue of the authority vested in the President by the Act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Rogue River National Forest, Oregon, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws nor the disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Forest Service, Department of Agriculture, as a recreation area:

No. 146—3

WILLAMETTE MERIDIAN

Steve Fork Recreation Area

T. 40 S., R. 5 W.,
Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described contains 190 acres. This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6158; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1919]

[Montana 030862]

SOUTH DAKOTA

Partially Revoking Executive Order of January 1, 1908, Which Withdrew Certain Lands for Use of Forest Service as Administrative Site

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The Executive order of January 1, 1908, which withdrew certain lands within the Black Hills National Forest for use of the Forest Service, Department of Agriculture, is hereby revoked so far as it affects the following-described lands:

BLACK HILLS MERIDIAN

Bald Hills Administrative Site

T. 1 N., R. 5 E.,
Sec. 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 80 acres.

2. The lands are within the Black Hills National Forest and shall be open subject to valid existing rights and the requirements of applicable law, to such applications, selections, and locations as are permitted on national forest lands effective at 10:00 a.m. on August 27, 1959.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6159; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1920]

[58916]

NEVADA

Partially Revoking Public Land Order No. 712 of April 16, 1951 (Nellis Air Force Range)

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 712 of April 16, 1951, which withdrew lands in Nevada for use of the Department of the Air Force in connection with a bombing and gunnery range, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 6 S., R. 43 E., Unsurveyed,
Secs. 1, 11, 12, 13, 14, 23, 24, and 25.

The areas described aggregate 5, 120 acres.

2. The lands are located in the southwest portion of Nye County, Nevada, about 20 miles southeast of Goldfield, at an elevation of approximately 4,000 feet above sea level. Topography is generally flat varying to alluvial slopes on the northeast. Soils are inferior. Vegetation consists of the sagebrush type with some Indian rice grass.

3. This order shall not become effective to change the status of the lands described until 10:00 a.m. on August 27, 1959. At that time, they shall be open to filing of such applications, petitions, locations, and selections under the applicable nonmineral public land laws as are permitted on unsurveyed lands, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference right filing period under the Small Tract Laws for veterans and others entitled to preference under the Act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended.

4. The lands will be open to applications and offers under the mineral leasing laws, and to location under the United States mining laws beginning at 10:00 a.m. on November 26, 1959.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nevada.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6160; Filed, July 27, 1959;
8:46 a.m.]

[Public Land Order 1921]

[Idaho 04712]

IDAHO

Revoking Public Land Order No. 1017 of October 4, 1954, as Amended (Craters of the Moon Air Force Range)

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 1017 of October 4, 1954, as amended on December 16, 1954 (F.R. Doc. 54-10089), and as further amended by Public Land Order No. 1199 of August 2, 1955, which withdrew the following-described public lands in Idaho for use of the Department of the Air Force in connection with the Craters of the Moon Air-to-Air Gunnery Range, now the Craters of the Moon Air Force Range, is hereby revoked:

BOISE MERIDIAN

T. 1 S., R. 24 E.,
Secs. 1 to 14, incl.;
Sec. 15;
Secs. 17 to 21, incl.;
Sec. 22;
Sec. 23, S $\frac{1}{2}$;
Secs. 24 to 35, incl.

T. 2 S., R. 24 E.,
Sec. 1;
Sec. 3;
Sec. 4, E $\frac{1}{2}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5;
Secs. 6 to 15, incl.;
Sec. 17, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 18, N $\frac{1}{2}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Secs. 19 to 35, incl.

T. 3 S., R. 24 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 4 S., R. 24 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 5 S., R. 24 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 6 S., R. 24 E.,
Secs. 1 to 15, incl.;
Secs. 17, 18, 24 and 25.

T. 1 S., R. 25 E.,
Secs. 6 to 8, incl.;
Secs. 17 and 18;
Sec. 19, lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11,
NE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20;
Sec. 21, S $\frac{1}{2}$;
Sec. 22, S $\frac{1}{2}$;
Sec. 23, S $\frac{1}{2}$;
Sec. 24, S $\frac{1}{2}$;
Secs. 25 to 29, incl.;
Sec. 30, lots 2, 3, 4, 5, 9, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 31, lots 1 through 6;
Secs. 32 to 35, incl.

T. 2 S., R. 25 E.,
Secs. 1 to 4, incl.;
Sec. 5, lots 1, 2, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, and
SE $\frac{1}{4}$ SW $\frac{1}{4}$;
T. 2 S., R. 25 E.,
Sec. 6, lots 2 to 14, incl., SW $\frac{1}{4}$ NE $\frac{1}{4}$, and
W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, lots 1 to 12 incl., SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$,
and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$, NE $\frac{1}{4}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Secs. 9 to 15, incl.;
Secs. 17 to 35, incl.

T. 3 S., R. 25 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 4 S., R. 25 E., Unsurveyed.

T. 5 S., R. 25 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 6 S., R. 25 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 7 S., R. 25 E.,
Secs. 1, 2, 3, 4, 10, 11, and 12.

T. 1 S., R. 26 E., Unsurveyed.

T. 2 S., R. 26 E., Unsurveyed.

T. 3 S., R. 26 E.,
Secs. 1, 12, and 13;
Secs. 2 and 3, Unsurveyed;
Secs. 10 and 11, Unsurveyed;
Secs. 14 and 15, Unsurveyed;
Secs. 22 to 27, incl., Unsurveyed;
Secs. 34 to 36, incl., Unsurveyed.

T. 4 S., R. 26 E., Unsurveyed.

T. 5 S., R. 26 E.,
Secs. 1, 2, and 3;
Secs. 10 to 15, incl.;
Secs. 22 to 27, incl.;
Secs. 34 and 35.

T. 6 S., R. 26 E.,
Secs. 1, 2, and 3;
Secs. 10 to 15, incl.;
Secs. 22 to 27, incl.;
Secs. 34 and 35.

T. 7 S., R. 26 E.,
Secs. 1 to 12, incl.

T. 1 S., R. 27 E.,
Secs. 1 to 4, incl.;
Secs. 5 to 8, incl., Unsurveyed;
Secs. 9 to 12, incl.;
Sec. 13, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 14 and 15;
Secs. 17 to 20, incl., Unsurveyed;
Secs. 21 and 22;
Sec. 23, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, and
SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
and SE $\frac{1}{4}$;
Secs. 25 to 28, incl.;
Secs. 29 to 33, incl., Unsurveyed;
Secs. 34 and 35.

T. 2 S., R. 27 E.,
Secs. 1, 2, 3, 11, 12, 13, 14, 23, 24, 25, 26, 35;
Secs. 4 to 10, incl., 15 to 22, incl., 27 to 34,
incl., Unsurveyed.

T. 3 S., R. 27 E.,
Secs. 1 to 3, incl.;
Secs. 4 to 9, incl., Unsurveyed;
Secs. 10 to 15, incl.;
Secs. 17 and 18, Unsurveyed;
Secs. 19 to 35, incl.

T. 4 S., R. 27 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 5 S., R. 27 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 6 S., R. 27 E.,
Secs. 1 to 15, incl.;
Secs. 17 to 35, incl.

T. 7 S., R. 27 E.,
Secs. 1 to 12, incl.

The areas described aggregate approximately 457,184 acres.

2. The lands are located from 25 to 50 miles southwest of Arco, Idaho, at an elevation of about 5,000 feet. The area is typical of the broad, open area of the Snake River Plains. Topography is undulating and broken, consisting mainly of solid lava rock outflows with pockets of silt loam soil varying in size and shape. Vegetation consists of sagebrush, rabbitbrush, bunchgrass, cheatgrass, and some scattered juniper trees.

3. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 1 hereof, are hereby opened to filing of applications, selections, and locations in accordance with the following, the unsurveyed lands being opened to such applications, selections, and locations as are allowable on unsurveyed lands:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference

rights under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284 as amended), presented prior to 10:00 a.m. on August 27, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraph (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a.m. on November 26, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. The lands will be open to applications and offers under the mineral leasing laws, and to locations under the United States mining laws beginning at 10:00 a.m. on November 26, 1959.

5. No application for the lands may be allowed under the homestead, desert land, small tract, or any other non-mineral public land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

6. Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

7. The State of Idaho has waived the preference right of application granted to it by subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

8. Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[FR. Doc. 59-6161; Filed, July 27, 1959;
8:47 a.m.]

[Public Land Order 1922]

[Idaho 010002]

IDAHO

Opening Lands Subject to Section 24 of the Federal Power Act (Project No. 2055)

1. In DA-520—Idaho, issued November 21, 1958, the Federal Power Commission determined that the value of the following-described lands reserved in Project No. 2055, will not be injured or

destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act of 1920, as amended, and subject to the condition that in the event the said lands are required for power purposes, any improvements or structures placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with power development at no cost to the United States, its permittees or licensees:

BOISE MERIDIAN

T. 6 S., R. 7 E.,
Sec. 2, lot 4.

The area described contains 54.46 acres.

2. The lands are located about 6½ miles west of Hammett, Idaho, on the south bank of the Snake River. Topography is generally undulating with a hummocky surface caused by erosive wind action. Soils are fine sands underlain by clays, and are highly alkaline in character. The vegetation consists almost entirely of greasewood, with an understory of salt grass.

3. No application for the lands may be allowed under the homestead, desert-land, small tract, or any other non-mineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. By virtue of the authority vested in the Secretary of the Interior by section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, the lands described in paragraph 1 of this order are hereby opened to location, entry, and selection under the public land laws, subject to Section 24 of the Federal Power Act, and the condition specified in said paragraph 1, and subject to existing valid rights and the requirements of applicable law, in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference

rights under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284 as amended), presented prior to 10:00 a.m. on August 27, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a.m. on November 26, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. The State of Idaho has waived the preference right of application granted to it by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

6. Until 10:00 a.m. on October 22, 1959, the lands shall be subject to application by the State of Idaho for the reservation to it or any of its political subdivisions of any of the lands required as a right-of-way for public highways, or as a source of materials for the construction and maintenance of such highways, pursuant to section 24 of the Federal Power Act, *supra*.

7. The lands have been open to applications and offers under the mineral leasing laws. They have been open to locations under the United States mining laws pursuant to the act of August 11, 1955 (69 Stat. 683; 30 U.S.C. 621), since May 20, 1957, the date of the Federal Power Commission order revising the Project boundaries.

8. Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 22, 1959.

[F.R. Doc. 59-6162; Filed, July 27, 1959;
8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Ex Parte 203]

PART 91—LOCOMOTIVE INSPECTION

Subpart C—Other Than Steam Locomotives and Appurtenances

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D.C., on the 16th day of July A.D. 1959.

APPROVAL OF FORM FOR REPORTING OF INSPECTIONS

It appearing, that pursuant to the provisions of section 4 of the Administrative Procedure Act, a notice was issued on February 28, 1957 (22 F.R. 1869) of an investigation into the reasonableness and lawfulness of Rule 203 of the Rules and Instructions for Inspection and Testing of Locomotives Other Than Steam, following which an order was entered on June 2, 1959, amending 49 CFR Part 91, Subpart C, by substituting for § 91.203 a new section, which, among other things, provides that a report of the inspections required by said § 91.203 shall be made on an approved form;

It further appearing, that pursuant thereto, a form meeting the requirements of said § 91.203 has been prepared and is submitted herewith for approval;

And it further appearing, that because of the minor changes proposed in said form and because the pamphlet publishing all of the Rules and Instructions for Inspection and Testing of Locomotives Other Than Steam, as amended, is ready for reprinting, rule-making procedure under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003(a), is unnecessary and impracticable, and that good cause exists for making this order effective upon less than 30 days notice pursuant to section 4(c) of the Administrative Procedure Act, 5 U.S.C. 1003(c);

It is ordered, That 49 CFR Part 91, Subpart C, be, and the same is hereby amended by substituting for that portion of § 91.203 designated as Form 2-A therein, the following:

ICC Form No. 2-A

Locomotive No. _____
Unit No. _____
Initials _____
_____ Railroad.

LOCOMOTIVE INSPECTION REPORT

INSTRUCTIONS: Each locomotive unit shall be inspected in accordance with Rule 203 of the Laws, Rules and Instructions for Inspection and Testing of Locomotives Other Than Steam.

Inspected at _____ time _____ m.
Date _____ 19 __
Repairs needed: _____

Main reservoir pressure _____ lbs.
Brake pipe pressure _____ lbs.
Condition of brakes and brake rigging _____

Signature of employee making inspection _____

Occupation _____

The above work has been performed, except as noted, and the report is approved.

(Signature) _____

(Occupation) _____

(Sec. 5, 36 Stat. 914, as amended; 45 U.S.C. 28. Interpret or apply Sec. 2, 36 Stat. 913, as amended; 45 U.S.C. 23)

Notice of this order shall be given to the general public by depositing a copy

thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCox,
Secretary.

[F.R. Doc. 59-6167; Filed, July 27, 1959;
8:47 a.m.]

[No. 32258]

PART 131—UNITED STATES SAFETY- APPLIANCE STANDARDS (RAILROAD)

Tank Cars Without Underframes

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 16th day of July A.D. 1959.

It appearing that the Union Tank Car Company filed a petition on August 19, 1957, as amended on April 16, 1959, for modification of the United States Safety-Appliance Standards by the addition thereto of a fourth tank car description for a car designated as a tank car without an underframe;

It further appearing that notice of proposed rule making and hearing was issued in the above-entitled proceeding on May 29, 1958 (23 F.R. 3738) pursuant to section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003);

It further appearing that hearing on the matter and things has been held and oral argument has been had;

And it further appearing that the Division has, on the date hereof, made and filed its report in this proceeding containing its findings of fact and conclusions thereon, which said report is hereby referred to and made a part hereof; and good cause appearing therefor:

It is ordered, That 49 CFR Part 131, be, and the same is hereby, amended by adding thereto a new § 131.21 *Tank cars without underframes*, reading as follows:

§ 131.21 Tank cars without underframes.

(a) *Hand brakes*—(1) *Number*. Same as specified for "Box and other house cars" (see § 131.1(a)(1)).

(2) *Dimensions*. Same as specified for "Box and other house cars" (see § 131.1(a)(2)).

(3) *Location*. Each hand brake shall be so located that it can be safely operated while car is in motion. The brake shaft shall be located on end of car to the left of center.

(4) *Manner of application*. Same as specified for "Box and other house cars" (see § 131.1(a)(4)).

(b) *End platforms*—(1) *Number*. Two.

(2) *Dimensions*. Minimum width, ten inches. Minimum thickness, one and three-quarters inches.

(3) *Location*. One on each end extending across car a distance equal to or greater than any other portion of car. Outside edge of end platform shall extend not less than seven inches beyond bulge of tank head and safety railing.

(4) *Manner of application*. End platforms shall be securely fastened to the

draft sills and be sufficiently rigid to prevent sagging.

(c) *Sill steps*. Same as specified for "Box and other house cars" (see § 131.1(d)).

(d) *End platform safety railing*—(1) *Number*. Two.

(2) *Dimensions*. Minimum of seven-eighths inch diameter, wrought iron or steel, or one and one-quarter inch pipe. Minimum clearance, two and one-half inches.

(3) *Location*. One safety railing at each end of car shall extend horizontally across car not less than thirty-six inches nor more than fifty-four inches above end platform and extend downward within three inches of the end of the platform. The safety railing shall be located not more than six inches from the inside edge of the platform.

(4) *Manner of application*. Safety railings shall be supported at center of car and at each end by extending downward at the ends and attaching to the platform.

(e) *Side railing*—(1) *Number*. Two.

(2) *Dimensions*. One and one-quarter inch pipe. Minimum clearance two and one-half inches.

(3) *Location*. One on each side of car extending from end platform to side ladder and from side ladder to end platform at opposite end of car at a distance of not less than fifty-one inches from center line of car.

(4) *Manner of application*. Safety railings shall be securely attached to end platforms and supported from the car at intervals not exceeding ten feet.

(f) *Side handholds*—(1) *Number*. Four.

(2) *Dimensions*. Same as specified for "Box and other house cars" (see § 131.1(h)(2)).

(3) *Location*. Four horizontal; one on face of end platform end, over sill step, projecting downward or outward. Clearance of outer end of handhold shall be not more than twelve inches from end of car. Vertical portion of end platform safety railing shall be considered as a side vertical handhold.

(4) *Manner of application*. Same as prescribed for "Box and other house cars" (see § 131.1(h)(4)).

(g) *End handholds*—(1) *Number*. Four.

(2) *Dimensions*. Same as specified for "Box and other house cars" (see § 131.1(i)(2)).

(3) *Location*. Horizontal, one near each side of each end of car on face of end sill. Clearance of outer end of handhold shall not be more than sixteen inches from side of car.

(4) *Manner of application*. Same as specified for "Box and other house cars" (see § 131.1(i)(4)).

(h) *Uncoupling levers*. Same as specified for "Box and other house cars" (see § 131.1(k)).

(i) *End ladder clearance*. No part of car above end sills within thirty inches from side of car, except buffer block, brake shaft, brake-shaft brackets, brake wheel, running boards or uncoupling lever shall extend to within twelve inches of a vertical plane parallel with end of car and passing through the inside face

of knuckle when closed with coupler horn against the buffer block or end sill, and no other part of end of car or fixtures on same, above end sills, other than exceptions herein noted, shall extend beyond the outer face of the buffer block.

(j) *Operating platform, ladder and safety railing*—(1) *Number*. One operating platform, two ladders and safety railing.

(2) *Dimensions*. (i) Ladder: Ladder stiles, three-eighths by two inches or equivalent, wrought iron or steel. One and one-quarter inch extra strong pipe will be considered equivalent.

(ii) Ladder treads, minimum diameter, five-eighths of an inch, wrought iron or steel.

(iii) Minimum clear length of treads, fourteen inches.

(iv) Maximum spacing of treads, nineteen inches.

(v) Minimum clearance of treads and ladder stiles, two inches, preferably two and one-half inches.

(vi) Operating platform, minimum width, seven inches; minimum thickness, one and three-quarters inches.

(vii) Safety railing, one and one-quarter inch wrought iron or steel pipe.

(3) *Location*. (i) Operating platform to be of sufficient length to provide access to all operating fittings. Ladder to be located on sides of car at center.

(ii) The safety railing shall enclose the operating platform, manway and fittings used in the loading and unloading of the tank. Railing shall be open only at the ladders where it shall extend in a vertical direction down to, and be securely attached to the platform. Maximum width of opening, twenty-four inches.

(4) *Manner of application*. (i) The ladders shall be securely fastened to the operating platform. The lower portion of ladder shall be braced in such a manner as to prevent any movement.

(ii) The operating platforms shall be supported to prevent sagging and be securely attached to the tank.

(iii) The safety railing shall be securely attached to four stanchions or corner posts, which shall be securely attached to the tank or operating platform.

(k) *Manner of application of safety appliances on tank cars covered with jackets*. On tanks covered with jackets, metal pads shall be securely attached to the shell proper, to which brackets shall be fastened for securing the safety appliances attached to the tanks; or, the safety appliances (with the exception of the operating platform brackets) may be secured to the jackets reinforced with metal pads at the point of attachment, which pads shall extend at least two inches from the center line of rivet holes. The operating platform brackets shall be secured to the jacket reinforced with suitable bands. When the safety appliances are attached to the jacket covering of the tank, the jacket shall be tightened so that there will be no danger of its slipping around.

(Sec. 25, 41 Stat. 498, as amended; 49 U.S.C. 26. Secs. 2, 3, 36 Stat. 298; 45 U.S.C. 11, 12. Interpret or apply secs. 4, 6, 27 Stat. 531, 532; 45 U.S.C. 4, 6. Sec. 1, 32 Stat. 943; 45 U.S.C. 8. Sec. 4, 36 Stat. 299, as amended; 45 U.S.C. 13)

Notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.W. Doc. 59-6166; Filed, July 27, 1959;
8:47 a.m.]

PROPOSED RULE MAKING DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 909]

ALMONDS GROWN IN CALIFORNIA Salable and Surplus Percentages for 1959-60 Crop Year

Notice is hereby given that there is under consideration a proposed rule to establish a salable percentage of 68 percent and a surplus percentage of 32 percent for California almonds during the 1959-60 crop year which began on July 1, 1959. The proposed rule, which is based upon the recommendation of the Almond Control Board and other available information, would be established in accordance with the applicable provisions of Marketing Agreement No. 119 and Order No. 9, as amended (7 CFR Part 909), regulating the handling of almonds grown in California. Said amended marketing agreement and order are effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Consideration will be given to data, views or arguments pertaining thereto which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than the tenth day after publication of this notice in the FEDERAL REGISTER.

The proposed percentages are based on the following estimates (in terms of kernel weight) for the crop year beginning July 1, 1959: (1) Production of 72 million pounds; (2) trade demand for domestic almonds of 45 million pounds (based on a total trade demand of 48 million pounds less 3 million pounds of imported almonds); (3) a handler carryover of 6 million pounds on July 1, 1959; (4) provision for a handler carryover of 10 million pounds on June 30, 1960; (5) total trade demand and carryover requirements for 1959 crop of 49 million pounds; and (6) a surplus supply of 23 million pounds.

The proposed rule is as follows:

§ 909.209 Salable and surplus percentages for almonds during the crop year beginning July 1, 1959.

The salable and surplus percentages during the crop year beginning July 1,

1959, applicable to the total kernel weight of almonds received by handlers for their own accounts, shall be 68 percent and 32 percent, respectively.

Dated: July 22, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-6196; Filed, July 27, 1959;
8:52 a.m.]

[7 CFR Part 958]

IRISH POTATOES GROWN IN COLORADO; AREA NO. 3

Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth, which were recommended by the area committee for Area No. 3 established pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958) regulating the handling of Irish potatoes grown in the State of Colorado, issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 958.230 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the area committee for Area No. 3, established pursuant to Marketing Agreement No. 97 and this part, to enable such committee to perform its functions pursuant to the provisions of aforesaid marketing agreement and part, during the fiscal period ending May 31, 1960, will amount to \$3,125.00.

(b) The rate of assessment for Area No. 3 to be paid by each handler, pursuant to Marketing Agreement No. 97 and this part, shall be \$0.00125 per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 23, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-6195; Filed, July 27, 1959;
8:52 a.m.]

[7 CFR Part 964]

DRIED FIGS PRODUCED IN CALIFORNIA

Approval of Expenses of Dried Fig
Administrative Committee for
1959-60 Crop Year and Rate of
Assessment

Notice is hereby given that there are under consideration proposed expenses and a rate of assessment for the 1959-60 crop year, as hereinafter set forth, unanimously recommended by the Dried Fig Administrative Committee, established under Marketing Agreement No. 123, as amended, and Order No. 64, as amended (7 CFR Part 964), regulating the handling of dried figs produced in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining to the proposals which are filed in triplicate with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., and received not later than the close of business on the seventh day after publication of this notice in the FEDERAL REGISTER.

The proposals are as follows:

§ 964.304 Expenses of the Dried Fig Administrative Committee and rate of assessment for the 1959-60 crop year.

(a) *Expenses.* Expenses in the amount of \$26,700 are reasonable and likely to be incurred by the Dried Fig Administrative Committee during the crop year beginning August 1, 1959, and ending July 31, 1960, for its maintenance and functioning.

(b) *Rate of assessment.* Each handler shall pay to the Dried Fig Administrative Committee, in accordance with the provisions of Marketing Agreement No. 123, as amended, and this part, as such handler's pro rata share of the aforesaid expenses, an assessment of \$1.50 for each ton of salable tonnage dried figs handled by him as the first handler thereof during the crop year beginning August 1, 1959, and ending July 31, 1960; and such rate of assessment is hereby fixed for such crop year.

(c) *Salable tonnage dried figs.* The term "salable tonnage dried figs", as used in paragraph (b) of this section means and includes all natural condition dried figs acquired by a handler during the crop year beginning August 1, 1959, pursuant to the applicable provisions of the aforesaid marketing agreement, as amended, and part.

Dated: July 23, 1959.

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-6181; Filed, July 27, 1959;
8:49 a.m.]

[17 CFR Part 973]

[Docket No. AO-178-A-10]

**MILK IN MINNEAPOLIS-ST. PAUL
MARKETING AREA****Decision on Proposed Amendments to
Tentative Marketing Agreement
and to Order**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Minneapolis, Minnesota, on July 15, 1959, pursuant to notice thereof issued on July 8, 1959 (24 F.R. 5614).

The material issues on the record of the hearing related to:

1. Modifying the requirements that a country plant must meet to qualify as a pool plant during certain months.

2. The need for immediate action by the Secretary on issue No. 1.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. A plant from which 50 percent of its receipts of Grade A milk is shipped to distributing plants that are pool plants during each of the months of August, September, and October 1959 should be designated a pool plant for the months of November 1959 through June 1960. The order now provides that a plant may obtain automatic pool plant status for the following November through June period by shipping 50 percent of its Grade A receipts to distributing plants that are pool plants during each of the months of July through October.

During any month for which it has not otherwise attained pool plant status a plant may qualify as a pool plant by shipping 50 percent of its Grade A receipts during the month to a distributing plant that is a pool plant. A suspension order issued by the Acting Secretary on June 29, 1959 (24 F.R. 5414) made this provision inoperative for the month of July 1959. The suspension action had been requested by associations representing more than two-thirds of the producers supplying the market when it became apparent that some supply plants regularly associated with the market as pool plants would be unable to qualify as pool plants during July 1959 on the basis of the requirement of shipping 50 percent of their receipts to pool plants. This situation was brought about because under prevailing marketing conditions it would have been impracticable, uneconomic, and contrary to the best interests of the market for all supply plants regularly associated with the market as pool plants to ship 50 percent of their Grade A receipts to the market during July 1959.

A number of supply plants in the market obtain automatic pool plant status for the months of November

through June on the basis of having shipped 50 percent of their Grade A receipts to distributing plants that are pool plants during the preceding months of July through October. Because of the suspension order effective during July 1959 (whereby a supply plant has not been required to ship above any specified percentage of its receipts to the market to be a pool plant for the month) some supply plants regularly associated with the market as pool plants will not have shipped 50 percent of their Grade A receipts during July to distributing plants that are pool plants. Because of this, it would be inappropriate to include July as one of the months during this year that a plant must ship 50 percent of its receipts to distributing plants that are pool plants in order to obtain automatic pool plant status for the months of November 1959 through June 1960. The intent of the order provision whereby a supply plant may obtain pool plant status in other months on the basis of shipments to the market during the months of seasonally low production would best be accomplished for the current marketing year by providing that August through October replace July during which a plant must ship at least 50 percent of its receipts to distributing plants that are pool plants to obtain automatic pool plant status for the following November through June.

2. The due and timely execution of the function of the Secretary under the Act imperatively and unavoidably requires the omission of a recommended decision by the Deputy Administrator, Agricultural Marketing Service, and the opportunity for exceptions thereto, on the above issue.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. It is therefore found that good cause exists for omission of the recommended decision in order to inform interested parties of the conclusions reached. Uncertainty on the part of interested parties might lead to instability in the market. Knowledge of the action decided upon by the Secretary will permit those affected to adjust their operations promptly in accordance with such decision.

Delay beyond August 1, 1959, will defeat the purpose of the amendment. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereof, would make such relief substantially ineffective and therefore should be eliminated in this instance. The notice of hearing stated that consideration would be given to the question of whether economic and marketing conditions require emergency action with respect to any or all amendments deemed necessary as a result of the hearing. Action under the procedure described above was requested by proponents at the hearing.

Proposed findings and conclusions. No briefs or proposed findings and conclusions were filed on behalf of interested parties in the market within the time allowed therefor.

General findings. (a) The tentative marketing agreement and the order as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act.

(b) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the prices of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing agreement regulating the handling of milk in the Minneapolis-St. Paul Marketing Area" and "Order amending the order, regulating the handling of milk in the Minneapolis-St. Paul Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of May 1959 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order, regulating the handling of milk in the Minneapolis-St. Paul marketing area, is approved or favored by producers, as defined under the terms of the order, as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Issued at Washington, D.C., this 22d day of July 1959.

CLARENCE L. MILLER,
Assistant Secretary.

Order¹ Amending the Order Regulating the Handling of Milk in the Minneapolis-St. Paul Marketing Area

§ 973.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure gov-

in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order [and of the previously issued amendments thereto;] and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Minneapolis-St. Paul marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified, in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Minneapolis-St. Paul marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

Delete the second proviso in § 973.9 (b)(1) and substitute therefor the following: "And provided further, That if during each of the months of August through October 1959, 50 percent or more of such plant's total receipts of skim milk or butterfat for such month as described above is delivered as provided in this paragraph, it shall be a pool plant through June 1960;"

[F.R. Doc. 59-6182; Filed, July 27, 1959; 8:50 a.m.]

erning proceedings to formulate marketing agreements and marketing orders have been met.

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 201]

GENERAL REGULATIONS

Regular Dealer in Cotton Linters Under Walsh-Healey Public Contracts Act

James V. Bennett, Commissioner, Federal Prison Industries, Inc., a corporation all of the stock of which is beneficially owned by the United States has formally requested an exemption under the authority of section 6 from the provisions of section 1 of the Walsh-Healey Public Contracts Act requiring that contractors for the sale of cotton linters to Federal Prison Industries, Inc., be manufacturers of or regular dealers in such product. The request of the Commissioner is in accord with the provisions of general regulations under the Walsh-Healey Public Contracts Act, Part 201, § 201.101 (Title 41, Chapter II, Code of Federal Regulations), specifically providing for requests for exemptions from the manufacturer or regular dealer requirement.

The Commissioner has submitted his findings that the normal method of dealers in cotton linters in doing business excludes them from status as regular dealers in cotton linters within the meaning of the Act and the aforesaid regulations, and that as a result Federal Prison Industries, Inc., which is the sole government purchaser of cotton linters, finds it virtually impossible to purchase such goods, thus seriously impeding the conduct of government business.

After considering the general method of operation of dealers in cotton linters, I find and conclude that their practices are similar to those followed by regular dealers in raw cotton and that they do not stock or store cotton linters as required by the regular dealer regulation because of the large bulk of linters in relation to their value. Instead, these dealers provide for direct delivery to their customers from the producers of such cotton linters. For this reason they do not come within the definition of regular dealer as presently defined in § 201.101(b). I find it necessary, therefore, in order to carry out the objectives of the Act as well as to provide accommodation to the special situation with respect to dealers in cotton linters, to provide a definition of regular dealer in cotton linters as will accord to the facts and business practices rather than to grant an exemption from all of the terms and requirements of the Act.

Accordingly, pursuant to section 4 and section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2038 and 2040, as amended; 41 U.S.C. 38, 40) and in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003), I propose to amend § 201.101(b) of Part 201 of Title 41 of the Code of Federal Regulations by adding a new paragraph (b) (9) to § 201.101, to read as follows:

(9) A regular dealer in raw or unmanufactured cotton linters may be a person who owns, operates, or maintains a store, warehouse, or other place of business in which materials, supplies, articles, or equipment of the general character described in the specifications and required under the contract are bought for the account of such person and sold to the public in the usual course of business, and whose principal business is such purchase and sale of such materials, supplies, articles, or equipment.

Prior to any final action on this proposal, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Secretary of Labor, United States Department of Labor, Washington 25, D.C., within fifteen days from publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., this 21st day of July 1959.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 59-6168; Filed, July 27, 1959; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600, 601]

[Airspace Docket No. 59-WA-19]

FEDERAL AIRWAYS AND CONTROL AREAS

Revocation of Federal Airway, Associated Control Areas and Compulsory Reporting Points

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, as hereinafter set forth.

Red Federal airway No. 96 presently extends from Lake Charles, Louisiana, to Baton Rouge, Louisiana. An IFR Peak-Day Airway Traffic Survey for each half of the calendar year 1958 shows zero aircraft movements on this airway. On the basis of the survey, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Texas. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional

Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to revoke Red Federal airway No. 96, its associated control areas and compulsory reporting points, by amending Parts 600 and 601 (14 CFR 1958 SUPP., 600, 601) as follows:

1. Section 600.296 *Red Federal airway No. 96 (Lake Charles, La., to Baton Rouge, La.)* is revoked.
2. Section 601.296 *Red Federal airway No. 96 control areas (Lake Charles, La., to Baton Rouge, La.)* is revoked.
3. Section 601.4296 *Red Federal airway No. 96 (Lake Charles, La., to Baton Rouge, La.)* is revoked.

Issued in Washington, D.C., on July 22, 1959.

D. D. THOMAS,
Director,

Bureau of Air Traffic Management.

[F.R. Doc. 59-6151; Filed, July 27, 1959; 8:45 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 59-KC-14]

FEDERAL AIRWAYS AND CONTROL AREAS

Modification of Federal Airway

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6072 of the regulations of the Administrator, as hereinafter set forth.

VOR Federal airway No. 72 presently extends from Fayetteville, Ark., to Albany, N.Y. The distance between the Fayetteville, Ark., VOR and the Maples, Mo., VOR segment of this airway is approximately 155 miles, which is considerably in excess of the normally desired 90 mile maximum spacing between VOR's. The modification of the airway over an intermediate VOR to be installed at latitude 37°01'23", longitude 92°51'37" would increase the signal strength and useability of the airway at low altitudes. The airway segment would, if this action were taken, be designated from Fayetteville, Ark., via a new VOR at Dogwood, Mo., to Maples, Mo., VOR. The control areas associated with VOR Federal air-

way No. 72 are so designated so that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend § 600.6072 (24 F.R. 3226) as follows:

Section 600.6072 VOR Federal airway No. 72 (*Fayetteville, Ark., to Albany, N.Y.*). Delete "From the Fayetteville, Ark., VOR; via the Maples, Mo., VOR;" and substitute therefor, "From the Fayetteville, Ark., VOR; via the Dogwood, Mo., VOR; Maples, Mo., VOR;"

Issued in Washington, D.C., on July 22, 1959.

D. D. THOMAS,
Director,

Bureau of Air Traffic Management.

[F.R. Doc. 59-6150; Filed, July 27, 1959; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of Diuron

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

A petition has been filed by E. I. du Pont de Nemours & Co., Wilmington 98, Delaware, proposing the establishment of tolerances for residues of diuron (3-(3,4-dichlorophenyl)-1,1-dimethylurea) in or on raw agricultural commodities, as follows:

2 parts per million in or on wheat hay, forage, or straw.

1 part per million in or on wheat grain.

The analytical method proposed in the petition for determining residues of diuron is the method published in the FEDERAL REGISTER of July 8, 1955 (20 F.R. 4871), except that the chromatographic purification technique of Bleidner (Journal of Agricultural and Food Chemistry, Volume II, pp. 682-684 (1954)) is employed.

Dated: July 21, 1959.

[SEAL]

ROBERT S. ROE,
*Director, Bureau of
Biological and Physical Sciences.*

[F.R. Doc. 59-6185; Filed, July 27, 1959; 8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 270]

DEFINITION OF BENEFICIAL OWNERSHIP

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration the adoption of a rule under the Investment Company Act of 1940 which would except small business investment companies from the registration and other requirements of the Act if certain conditions are met.

Section 3(c) (1) of the Act excepts from its operation any issuer which is not making and does not propose to make a public offering of its securities and whose outstanding securities are beneficially owned by not more than one hundred persons and further provides that beneficial ownership by a company shall be deemed beneficial ownership by one person, with the exception that if such company owns 10 per centum or more of the outstanding voting securities of the issuer, the beneficial ownership of the issuer shall be deemed to be that of the holders of such company's outstanding securities.

The proposed rule would provide that for the purpose of section 3(c) (1) of the Act, beneficial ownership by a company owning 10 per centum or more of the outstanding voting securities of a small business investment company licensed or proposed to be licensed under the Small Business Investment Act of 1958 shall be deemed to be beneficial ownership by one person notwithstanding that such company owning such securities has more than one stockholder, if the value of all securities of small business investment companies owned by such company does not exceed 5 percent of the value of its total assets.

The proposed rule will, in the Commission's view, tend to effectuate the purposes and objectives of the Small Business Investment Act without adversely affecting the public investor interest or achievement of the statutory purposes of the Investment Company Act of 1940. The Commission, therefore, pursuant to the provisions of sections 6(c) and 38(a) of the Investment Company Act of 1940; is considering adoption of the rule set forth below.

The text of the Commission's proposed rule is as follows:

§ 270.3c-2 Definition of beneficial ownership.

For the purpose of section 3(c) (1) of the Act, beneficial ownership by a company owning 10 per centum or more of the outstanding voting securities of any issuer which is a small business investment company licensed to operate under the Small Business Investment Act of 1958, or which has received from the Small Business Administration notice to proceed to qualify for a license, which notice or license has not been revoked,

shall be deemed to be beneficial ownership by one person if and so long as the value of all securities of small business investment companies owned by such company does not exceed 5 percent of the value of its total assets.

All interested persons are invited to submit views and comments on the proposed rule. Written statements of views and comments and any requests for oral argument in respect of the proposed rule should be submitted to the Securities and Exchange Commission, Washington 25, D.C., on or before August 21, 1959. Unless the person submitting any statement requests that his views not be made part of the Commission's public files, they will be made available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

JULY 21, 1959.

[F.R. Doc. 59-6169; Filed, July 27, 1959; 8:48 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 59-30]

APPROVAL AND TERMINATION OF APPROVAL OF EQUIPMENT, INSTALLATIONS, OR MATERIALS; CHANGE IN NAME OF MANUFACTURER

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, United States Coast Guard. The procedures governing the granting of approvals and termination of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials specifications have been also prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order Nos. 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), 167-20, dated June 18, 1956 (21 F.R. 4894), and CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), and R.S. 4405, as amended, 4462, as amended, 4491, as amended, sections 1, 2, 49 Stat. 1544, as amended, section 17, 54 Stat. 166, as amended, and section 3, 54 Stat. 346, as amended, section 3, 70 Stat. 152 (46 U.S.C. 405, 416, 489, 367, 526p, 1333,

390b), and section 3(c) of the act of August 9, 1954 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I: *It is ordered, That:*

a. All the approvals listed in Part I of this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of 5 years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

b. All the other approvals listed in Part I of this document (which are not covered by paragraph a above) are prescribed and shall be in effect for a period of 5 years from the date of publication of this document in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority; and

c. All the approvals listed in Part II of this document are terminated because (1) the manufacturer is no longer in business; or (2) the manufacturer does not desire to retain the approval; or (3) the item is no longer being manufactured; or (4) the item of equipment no longer complies with present Coast Guard requirements; or (5) the approval has expired. Except for those approvals which have expired, all other terminations of approvals made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval of any item of equipment as listed in Part II of this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

d. The change in name of manufacturer shall be made as indicated in Part III of this document.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS OR MATERIALS

LIFE PRESERVERS, CORK, ADULT AND CHILD (JACKET TYPE), MODELS 32 AND 36

Approval No. 160.003/1/0, Model 32, adult cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 1, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.003/2/0, Model 36, child cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 1, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.003/3/0, Model 32, adult cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by The American Pad & Textile Co., Greenfield, Ohio, 511 North Solomon Street, New Orleans 19, La., and Fairfield, Calif. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.003/4/0, Model 36, child cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by The American Pad & Textile Co., Greenfield, Ohio, 511 North Solomon Street, New Orleans 19, La., and Fairfield, Calif. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.003/5/0, Model 32, adult cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by Elvin Salow Co., 273-285 Congress Street, Boston 10, Mass. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

Approval No. 160.003/6/0, Model 36, child cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by Elvin Salow Co., 273-285 Congress Street, Boston 10, Mass. (Extension of the approval published in the FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

LIFE PRESERVERS, Balsa WOOD, ADULT AND CHILD (JACKET TYPE), MODELS 42 AND 46

Approval No. 160.004/1/0, Model 42, adult balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 1, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.004/2/0, Model 46, child balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 1, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.004/3/0, Model 42, adult balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by The American Pad & Textile Co., 511 North Solomon Street, New Orleans 19, La., and Fairfield, Calif. (Ex-

tension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

Approval No. 160.004/4/0, Model 46, child balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by The American Pad & Textile Co., 511 North Solomon Street, New Orleans 19, La., and Fairfield, Calif. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

LIFE PRESERVERS: REPAIRING AND CLEANING

Approval No. 160.006/17/0, Castle cleaning process for kapok life preservers, specifications dated May 4, 1949, submitted by Castle Carpet Cleaning Corp., 36-21 33d Street, Long Island City, N.Y. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 23, 1959.)

BUOYS, LIFE, RING, CORK OR Balsa WOOD

Approval No. 160.009/32/0, 30-inch cork ring life buoy, U.S.C.G. Specification Subpart 160.009, manufactured by The American Pad & Textile Co., 511 North Solomon Street, New Orleans 19, La. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 23, 1959.)

BUOYANT APPARATUS

Approval No. 160.010/51/0, 3.75' x 3.0' x 0.83' Type BP-12 buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 12-person capacity, dwg. No. BP-200-3, Rev. A dated February 27, 1959, material specification BP-201 dated October 10, 1958, and fabrication procedure BP-202 dated October 11, 1958, manufactured by Mariner Laminates, Inc., 501 Atlantic Avenue, Freeport, N.Y.

Approval No. 160.010/52/0, 4.75' x 3.0' x 0.83' Type BP-15 buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 15-person capacity, dwg. No. BP-200-3, Rev. A dated February 27, 1959, material specification BP-201 dated October 10, 1958, and fabrication procedure BP-202 dated October 11, 1958, manufactured by Mariner Laminates, Inc., 501 Atlantic Avenue, Freeport, N.Y.

Approval No. 160.010/55/0, 4.0' x 3.0' x 0.38' buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 6-person capacity, dwg. No. BA-2 dated April 20, 1959, and specification BA No. 1, Rev. 4 dated April 20, 1959, manufactured by C. J. Hendry Co., 27 Main Street, San Francisco 5, Calif.

WINCHES, LIFEBOAT

Approval No. 160.015/66/0, Type B135-M-N lifeboat winch with quick return mechanism, approval is limited to mechanical components only and for a maximum working load of 13,500 pounds pull at the drums (6,750 pounds per fall), identified by general arrangement dwg. No. 2105-11 dated November 19, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

SEA ANCHORS, LIFEBOAT

Approval No. 160.019/9/0, Type B sea anchor, U.S.C.G. dwg. No. MM-562 and specifications dated November 1, 1943, rev. August 24, 1944, manufactured by McIlwaine Canvas Co., 247 West Sixth Street, San Pedro, Calif. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective April 30, 1959.)

SIGNALS, DISTRESS, FLOATING ORANGE SMOKE

Approval No. 160.022/2/1, Model OS-5 floating orange smoke distress signal, dwg. Nos. 7 and 8, both dated February 6, 1954, and specification OS-5 dated February 6, 1954, manufactured by Superior Signal Co., 6 Colfax Street, South River, N.J. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

Approval No. 160.022/5/0, Kilgore Model K-5 floating orange smoke distress signal, assembly dwg. No. GXC-323, Rev. 2 dated December 18, 1953, manufactured by Kilgore, Inc., International Flare Signal Division, Westerville, Ohio. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

WATER, EMERGENCY DRINKING (IN HERMETICALLY SEALED CONTAINERS)

Approval No. 160.026/27/2, container for emergency drinking water, Globe Equipment Corp. dwg. No. 1313 dated November 1, 1956, revised May 6, 1959, packed by Ash Jon Corp., 257 Water Street, Brooklyn 1, N.Y., for Globe Equipment Corp., 257 Water Street, Brooklyn 1, N.Y. (Supersedes Approval No. 160.026/27/1 published in FEDERAL REGISTER January 22, 1958.)

LIFE FLOATS

Approval No. 160.027/54/0, 9.75' x 6.25' (10 1/2" x 10 1/2" body section) rectangular aluminum life float with unicellular plastic foam core, 25-person capacity, dwg. No. 60092, Rev. A dated May 18, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J.

DAVITS

Approval No. 160.032/43/2, Gravity davit, Type G-65-S (formerly Type 30-V), approved for a maximum working load of 13,000 pounds per set (6,500 pounds per arm), using 2-part falls, identified by general arrangement dwg. No. 3379-3, Alt. 2 dated April 29, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.032/43/1 published in FEDERAL REGISTER June 3, 1958.)

Approval No. 160.032/55/1, Mechanical davit, crescent sheath screw, Type C-53, approved for maximum working load of 10,500 pounds per set (5,250 pounds per arm) using not less than 2-part falls, identified by general arrangement dwg. No. 1974-1 dated September 1, 1948, and revised February 19, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Extension of the approval published in FEDERAL REG-

ISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.032/96/1, Mechanical davit, straight boom sheath screw, Type B-20, approved for maximum working load of 4,000 pounds per set (2,000 pounds per arm), using four-, five-, or six-part falls, identified by general arrangement dwg. No. 3161-1 dated December 23, 1953, and revised February 4, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.032/147/0, Gravity davit, Type G65S-8, approved for maximum working load of 13,000 pounds per set (6,500 pounds per arm), using 2-part falls, identified by arrangement dwg. No. 3515 dated January 12, 1954, and revised March 25, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 160.032/159/0, Gravity davit, Type LO-38-S, approved for a maximum working load of 9,000 pounds per set (4,500 pounds per arm), using 2-part falls, identified by arrangement dwg. No. 3696, revision G dated April 20, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J.

LIFEBOATS

Approval No. 160.035/53/1, 26.0' x 9.0' x 3.83' aluminum, oar-propelled lifeboat, 53-person capacity, identified by construction and arrangement dwg. No. 3083 dated April 18, 1959, and revised May 13, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Reinstates and supersedes Approval No. 160.035/53/0 terminated in FEDERAL REGISTER October 1, 1952.)

Approval No. 160.035/63/2, 31.0' x 11.25' x 4.5' steel, motor-propelled lifeboat without radio cabin (Class B), 83-person capacity, identified by construction and arrangement dwg. No. 2414 dated January 9, 1953, and revised April 21, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.035/63/1 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 160.035/313/1, 26.0' x 9.0' x 3.83' aluminum, motor-propelled lifeboat with radio cabin (Class A), 43-person capacity, identified by construction and arrangement dwg. No. 3490 dated August 6, 1953, and revised April 21, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.035/313/0 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 160.035/314/1, 22.0' x 7.5' x 3.17' steel, motor-propelled lifeboat without radio cabin (Class B), 29-person capacity, identified by general arrangement dwg. No. G-2229M dated August 26, 1953, and revised May 18, 1959, manufac-

tured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y. (Supersedes Approval No. 160.035/314/0 published in FEDERAL REGISTER June 25, 1954.)

Approval No. 160.035/317/0, 20.0' x 6.0' x 2.5' aluminum, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement dwg. No. 20-1B dated December 14, 1953, and revised April 14, 1954, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

Approval No. 160.035/381/0, 24.0' x 8.0' x 3.5' fibrous glass reinforced plastic, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement dwg. No. P-24-1A, Rev. A dated November 28, 1958, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J.

Approval No. 160.035/396/0, 24.0' x 8.0' x 3.5' fibrous glass reinforced plastic, hand-propelled lifeboat, 40-person capacity, identified by construction and arrangement dwg. No. P-24-1C, Alt. B dated April 14, 1959, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J.

KITS, FIRST-AID

Approval No. 160.041/7/0, First-Aid Kit, Model No. H-24-A, assembly dwg. dated March 20, 1959, manufactured by A. E. Halperin Co., Inc., 75-87 Northampton Street, Boston 18, Mass.

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/135/1, Special approval for 15" x 15" x 2" rectangular buoyant cushion with heat-sealed seams, 20 oz. kapok, dwg. No. 430M dated May 14, 1959, and bill of material dated October 23, 1958, manufactured by The Hettrick Manufacturing Co., 1401 Summit Street, Toledo 1, Ohio (Plant: Andrews, Ind.) (Supersedes Approval No. 160.048/135/0 published in FEDERAL REGISTER December 31, 1958.)

Approval No. 160.048/150/1, Special approval for 15" x 15" x 2" rectangular buoyant cushion with heat-sealed seams, 20 oz. kapok, The Hettrick Manufacturing Co. dwg. No. 430M dated May 14, 1959, and bill of material dated October 23, 1958, manufactured by The Hettrick Manufacturing Co., 1401 Summit Street, Toledo 1, Ohio, (Plant: Andrews, Ind.) for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Ill. (Supersedes Approval No. 160.048/150/0 published in FEDERAL REGISTER June 20, 1959.)

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/28/0, Group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049-4 (c) (1), manufactured by Bottom Dollar

Industries, Inc., 715 Izard Street, Little Rock, Ark.

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/46/0, Type II, Model 201-SHL-15.5, adult unicellular plastic foam buoyant vest, assembly dwg. No. 58J523, Rev. D dated February 19, 1959, manufactured by Gentex Corp., Carbondale, Pa.

Approval No. 160.052/48/0, Type II, Model 202-SFL-11, child size, medium, unicellular plastic foam buoyant vest, assembly dwg. No. 58F548, Rev. B dated February 19, 1959, manufactured by Gentex Corp., Carbondale, Pa.

Approval No. 160.052/49/0, Type II, Model 203-SFL-7, child size, small, unicellular plastic foam buoyant vest, assembly dwg. No. 58F538, Rev. A dated February 19, 1959, manufactured by Gentex Corp., Carbondale, Pa.

Approval No. 160.052/64/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The Howard Zink Corp., Fremont, Ohio.

Approval No. 160.052/65/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The Howard Zink Corp., Fremont, Ohio.

Approval No. 160.052/66/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The Howard Zink Corp., Fremont, Ohio.

Approval No. 160.052/73/0, Type II, Model 101, adult unicellular plastic foam buoyant vest, assembly dwg. No. SL 101-1 dated February 16, 1959, revised June 10, 1959, manufactured by Aqua-King Mfg. Co., P.O. Box 7451, Fort Worth, Tex.

Approval No. 160.052/74/0, Type II, Model 102, child size, medium, unicellular plastic foam buoyant vest, assembly dwg. No. SL 102-1 dated February 17, 1959, revised June 10, 1959, manufactured by Aqua-King Mfg. Co., P.O. Box 7451, Fort Worth, Tex.

Approval No. 160.052/75/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark.

Approval No. 160.052/76/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark.

Approval No. 160.052/77/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark.

LIGHTS (WATER): ELECTRIC, FLOATING, AUTOMATIC (WITH BRACKET FOR MOUNTING)

Approval No. 161.001/4/1, "Coslite" automatic floating electric water light (with bracket for mounting), dwg. No. 16-59, Alt. 2 dated March 9, 1959, manufactured by Coston Supply Co., Inc., 31

Water Street, New York 4, N.Y. (Supersedes Approval No. 161.001/4/0 published in FEDERAL REGISTER June 22, 1955.)

SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/9/2, Style HN-MS-26 carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. HV-8-MS, revised January 28, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/10/2, Style HNA-MS-27 alloy steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 900° F., dwg. No. HV-10-MS, revised January 29, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/11/2, Style HNA-MS-37 alloy steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 900° F., dwg. No. HV-11-MS, revised February 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/12/2, Style HNA-MS-28 alloy steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 1000° F., dwg. No. HV-10-MS, revised January 29, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/13/2, Style HNA-MS-38 alloy steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 1000° F., dwg. No. HV-11-MS, revised February 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/14/2, Style HS-MS-15, carbon steel body pop safety valve, exposed spring, maximum pressure 300 p.s.i., maximum temperature 650° F., dwg. No. HV-6-MS, revised January 29, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/15/2, Style HS-MS-25 carbon steel body pop safety valve, exposed spring, maximum pressure 450 p.s.i., maximum temperature 650° F., dwg. No. HV-7-MS, revised January 29, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval pub-

lished in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/16/2, Style HSA-MS-16 carbon steel body pop safety valve, exposed spring, maximum pressure 300 p.s.i., maximum temperature 750° F., dwg. No. HV-12-MS, revised April 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/17/2, Style HN-MS-36 carbon steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 750° F., dwg. No. HV-9-MS, revised February 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/18/2, Style HSA-MS-17 alloy steel body pop safety valve, exposed spring, maximum pressure 300 p.s.i., maximum temperature 900° F., dwg. No. HV-12-MS, revised April 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/19/2, Style HSA-MS-27 alloy steel body pop safety valve, exposed spring, maximum pressure 450 p.s.i., maximum temperature 900° F., dwg. No. HV-13-MS, revised April 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/46/2, Style HSA-MS-26 carbon steel body pop safety valve, exposed spring, maximum pressure 450 p.s.i., maximum temperature 750° F., dwg. No. HV-13-MS, revised April 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/101/1, Style HS-MS-35 carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 650° F., dwg. No. HV-7-MS, revised January 27, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/102/1, Style HSA-MS-36 carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. HV-13-MS, revised April 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/103/1, Style HSA-MS-37 alloy steel body pop safety

valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 900° F., dwg. No. HV-13-MS, revised April 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/104/1, Style HN-MS-25 carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 650° F., dwg. No. HV-8-MS, revised January 28, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/105/1, Style HN-MS-35 carbon steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 650° F., dwg. No. HV-9-MS, revised February 1, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/190/1, Style HS-MS-16 carbon steel body pop safety valve, exposed spring, maximum pressure 300 p.s.i., maximum temperature 750° F., dwg. No. HV-6-MS, revised January 29, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/191/1, Style HS-MS-26 carbon steel body pop safety valve, exposed spring, maximum pressure 450 p.s.i., maximum temperature 750° F., dwg. No. HV-7-MS, revised January 27, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/192/1, Style HS-MS-36 carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. HV-7-MS, revised January 27, 1954, approved for sizes 1½", 2", 2½", 3" and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.001/218/0, Style AC-M1 safety valve, bronze body, 300 p.s.i., maximum temperature 450° F., dwg. No. H-41473, revised May 18, 1959, approved for sizes 1½", 2" and 2½", manufactured by the Ashton Valve Co., Wrentham, Mass.

Approval No. 162.001/219/0, Style AC-M2 safety valve, bronze body, 150 p.s.i., maximum temperature 366° F., dwg. No. H-41473, revised May 18, 1959, approved for sizes 1½", 2" and 2½", manufactured by the Ashton Valve Co., Wrentham, Mass.

BOILERS, HEATING

Approval No. 162.003/151/0, Size 3624-8C, vertical fire tube hot water

heating boiler, 157,000 B.t.u. per hour, dwg. No. H-198, Rev. 2 dated February 1, 1954, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 38, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.003/152/0, Size 3630-10E, vertical fire tube steam or hot water heating boiler, 236,000 B.t.u. per hour, dwg. No. H-110M-1 dated October 29, 1953, and dwg. No. H-110-9, rev. 4 dated October 30, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 38, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.003/153/0, Size 4236-12E, vertical fire tube steam or hot water heating boiler, 341,500 B.t.u. per hour, dwg. No. H-110-L-1, rev. 2 dated July 31, 1953, and dwg. No. H-110-9, rev. 4 dated October 30, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 38, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

Approval No. 162.003/154/0, Size 6042-14E, vertical fire tube steam or hot water heating boiler, 525,000 B.t.u. per hour, dwg. No. H-110-N, rev. 1 dated September 25, 1952, and dwg. No. H-110-9, rev. 4 dated October 30, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Way-Wolff Associates, Inc., 33 Fulton Street, New York 38, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Approval No. 162.005/4/1, C-O-Two Type PSH-15, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. D-56872, Rev. 6 dated April 12, 1957, name-plate dwg. No. D-57094, Rev. 18 dated March 23, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.005/4/1 published in FEDERAL REGISTER November 1, 1957.)

Approval No. 162.005/5/1, C-O-Two Type PSH-10, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. D-57045, Rev. 5 dated January 18, 1957, name plate dwg. No. D-56916, Rev. 17 dated March 23, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.005/5/1 published in FEDERAL REGISTER November 1, 1957.)

Approval No. 162.005/13/2, C-O-Two Type PSA-5, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. C-1102, Rev. 4 dated January 18, 1957, name plate dwg. No. C-1112, Rev. 14 dated February 9, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes

Approval No. 162.005/13/2 published in FEDERAL REGISTER March 25, 1958.)

Approval No. 162.005/53/2, Buffalo Model No. 33-2, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. C-5115 dated January 8, 1957, name plate dwg. No. C-4886, Rev. 7 dated February 9, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.005/53/2 published in FEDERAL REGISTER March 25, 1958.)

Approval No. 162.005/54/2, Buffalo Model No. 34-2, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. D-5116 dated January 8, 1957, name plate dwg. No. D-4899, Rev. 7 dated March 23, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.005/54/2 published in FEDERAL REGISTER March 25, 1958.)

Approval No. 162.005/55/2, Buffalo Model No. 35-2, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. D-5116 dated January 8, 1957, name plate dwg. No. D-4882, Rev. 9 dated March 23, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.005/55/2 published in FEDERAL REGISTER March 25, 1958.)

FIRE EXTINGUISHERS, PORTABLE, HAND, CHEMICAL FOAM TYPE

Approval No. 162.006/33/1, Buffalo Model No. 18-25 C.G. (formerly 18-27), 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 18-25 C.G., Rev. B dated April 19, 1957, name plate dwg. No. 4709, Rev. E dated April 21, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.006/33/1 published in FEDERAL REGISTER January 22, 1958.)

Approval No. 162.006/37/2, Fyr-Fyter Model No. 18-4 C.G. (formerly 18-12), 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 18-4 C.G., Rev. A dated April 21, 1959, name plate dwg. No. 3567, Rev. G dated April 21, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.006/37/1 published in FEDERAL REGISTER January 22, 1958.)

Approval No. 162.006/38/2, Buffalo Model No. 18-5 C.G. (formerly 18-14), 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 18-5 C.G., Rev. A dated April 21, 1959, name plate dwg. No. 4760, Rev. F dated April 21, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.006/38/1 published in FEDERAL REGISTER January 22, 1958.)

Approval No. 162.006/42/0, Pyrene Model No. FW-12 C.G., 2½-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. FW-12 C.G., Rev. A dated April 21, 1959, name plate dwg. No. 6242, Rev. F dated April 21, 1959

(Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

FIRE EXTINGUISHERS, PORTABLE, HAND, SODA-ACID TYPE

Approval No. 162.007/44/1, Buffalo Model No. 17-13, 2½-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. 17-13, revised November 7, 1954, name plate dwg. No. 4707, Rev. D dated July 24, 1958 (Coast Guard classification: Type A, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.007/44/1 published in FEDERAL REGISTER January 18, 1955.)

Approval No. 162.007/48/1, Fyr-Fyter Model No. 17-4, 2½-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. 17-4 dated March 18, 1958, name plate dwg. No. 4772, Rev. G dated April 21, 1959 (Coast Guard classification: Type A, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.007/48/0 published in FEDERAL REGISTER December 8, 1954.)

Approval No. 162.007/49/1, Buffalo Model No. 17-5, 2½-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. 17-5 dated March 18, 1958, name plate dwg. No. 4761, Rev. G dated April 21, 1959 (Coast Guard classification: Type A, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.007/49/0 published in FEDERAL REGISTER December 8, 1954.)

Approval No. 162.007/53/0, Pyrene Model SW-12, 2½-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. SW-12 dated March 18, 1958, name plate dwg. No. 6268, Rev. D dated March 13, 1959 (Coast Guard classification: Type A, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

FIRE EXTINGUISHERS, PORTABLE, HAND, DRY CHEMICAL TYPE

Approval No. 162.010/7/1, C-O-Two Type PDC-20, 20-lb. dry chemical cartridge-operated type hand portable fire extinguisher, assembly dwg. No. D-3489, Rev. 1 dated September 1, 1954, name plate dwg. No. D-58580, Rev. 24 dated March 23, 1959 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/7/1 published in FEDERAL REGISTER March 25, 1958.)

Approval No. 162.010/29/0, C-O-Two Type PDC-4, 4-lb. dry chemical cartridge-operated type hand portable fire extinguisher, assembly dwg. No. D-59146, Rev. 7 dated May 7, 1952, name plate dwg. No. C-59138, Rev. 21 dated March 23, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/29/0 published in FEDERAL REGISTER November 1, 1957.)

Approval No. 162.010/38/1, American La France Model PDC-5, Series 2, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X-1226, Rev. D dated September

24, 1958, name plate dwg. No. 33X-519, Rev. C dated April 24, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American La France, Division of Sterling Precision Corp., Elmira, N.Y. (Supersedes Approval No. 162.010/38/0 published in FEDERAL REGISTER August 31, 1957.)

Approval No. 162.010/67/0, American La France Model PDC-2A, 2-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X-1254, Rev. H dated August 22, 1958, name plate dwg. No. 33X-411, Rev. E dated January 30, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American La France, Division of Sterling Precision Corp., Elmira, N.Y. (Supersedes Approval No. 162.010/67/0 published in FEDERAL REGISTER March 14, 1959.)

Approval No. 162.010/68/0, American La France Model Protexall Deluxe, 2-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X-1334 dated April 16, 1958, name plate dwg. No. 33X-551, Rev. J dated December 10, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American La France, Division of Sterling Precision Corp., Elmira, N.Y. (Supersedes Approval No. 162.010/68/0 published in FEDERAL REGISTER March 14, 1959.)

Approval No. 162.010/86/0, Leeder Marine Model No. 2¼, 2¼-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. G-621-302-2, Rev. 4 dated May 6, 1959, name plate dwg. No. A-928-302-7, Rev. 1 dated May 7, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Leeder Manufacturing Co., Inc., 615 East First Avenue, Roselle, N.J.

Approval No. 162.010/87/0, Leeder Marine Model No. 2, 2-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. G-621-320-2, Rev. 4 dated May 6, 1959, name plate dwg. No. A-982-302-6, Rev. 1, dated May 7, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Leeder Manufacturing Co., Inc., 615 East First Avenue, Roselle, N.J.

Approval No. 162.010/104/0, Elkhart Model 2 DC (Symbol AM), 2-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X-1360 dated March 3, 1959, name plate dwg. No. 33X-595 dated March 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American La France, Division of Sterling Precision Corp., Elmira, N.Y., for Elkhart Brass Manufacturing Co., Inc., 1302 West Beardsley Avenue, Elkhart, Ind.

Approval No. 162.010/109/0, S.O.S. Defender (Symbol GEN) Model No. 4, 4-lb. dry chemical cartridge-operated type hand portable fire extinguisher, assembly dwg. No. DC4-11910, Rev. D dated March 12, 1959, name plate dwg. No. DC4-11907 dated March 12, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road,

Northbrook, Ill., for Schwartz Brothers, Inc., 827 Arch Street, Philadelphia 7, Pa.

Approval No. 162.010/110/0, S.O.S. Defender (Symbol GEN) Model No. 2½, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½-11905 dated March 12, 1958, name plate dwg. No. 11902 dated March 25, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Schwartz Brothers, Inc., 827 Arch Street, Philadelphia 7, Pa.

Approval No. 162.010/115/0, Safety First Dri-Power Model DP-2, 2-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. DP-200 dated December 9, 1958, name plate dwg. No. DP2-25 dated April 4, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N.Y.

VALVES, RELIEF (HOT WATER HEATING BOILERS)

Approval No. 162.013/19/0, McDonnell No. 230-1" relief valve for hot water heating boiler, relieving capacity 743,400 B.t.u. per hour, at maximum set pressure of 30 p.s.i., dwg. MA230-1" dated October 20, 1952, approved for 1" inlet size, manufactured by McDonnell & Miller, Inc., 3500 North Spaulding Avenue, Chicago 18, Ill. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

Approval No. 162.013/20/0, McDonnell No. 230-1½" relief valve for hot water heating boiler, relieving capacity 1,025,100 B.t.u. per hour, at maximum set pressure of 30 p.s.i., dwg. No. MA230-1½" dated August 14, 1952, approved for 1½" inlet size, manufactured by McDonnell & Miller, Inc., 3500 North Spaulding Avenue, Chicago 18, Ill. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

VALVES, PRESSURE VACUUM RELIEF AND SPILL

Approval No. 162.017/23/3, Figure ST-4000-R pressure vacuum relief valve, enclosed pattern, weight-loaded poppet, bronze body, dwg. No. ST-7500 dated February 16, 1951, approved for 6" size, manufactured by Shand and Jurs Co., 2600 Eighth Street, Berkeley 10, Calif. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

Approval No. 162.017/78/0, Figure ST-4004 pressure vacuum relief valve, enclosed pattern, weight-loaded poppet, bronze body, dwg. No. ST-8470-2, Rev. 2 dated April 5, 1954, approved for 4" size, manufactured by Shand and Jurs Co., 2600 Eighth Street, Berkeley 10, Calif. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective June 25, 1959.)

APPLIANCES, LIQUEFIED PETROLEUM GAS-CONSUMING

Approval No. 162.020/111/0, John Wood Co. Model No. M-30 hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3-(102-29, 320-6, 712-2.1 and -3.2)

dated January 1, 1958, manufactured by John Wood Company, 100 Washington Street, Conshohocken, Pa.

Approval No. 162.020/112/0, John Wood Co. Model No. D-30 hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3-(102-29, 320-6, 712-2.1 and -3.2) dated January 1, 1958, manufactured by John Wood Company, 100 Washington Street, Conshohocken, Pa.

Approval No. 162.020/113/0, John Wood Co. Model No. MG-30 hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3-(102-29, 320-6, 712-2.1 and -3.2) dated January 1, 1958, manufactured by John Wood Company, 100 Washington Street, Conshohocken, Pa.

Approval No. 162.020/114/0, John Wood Co. Model No. DG-30 hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3-(102-29, 320-6, 712-2.1 and -3.2) dated January 1, 1958, manufactured by John Wood Company, 100 Washington Street, Conshohocken, Pa.

DECK COVERINGS

Approval No. 164.006/38/0, Marbleloid, magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG10230-12:FP2687 dated February 4, 1949, approved for use without other insulating material as meeting Class A-60 requirements in a 1½-inch thickness, manufactured by Marbleloid, Inc., 2040 88th Street, North Bergen, N.J. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

BULKHEAD PANELS

Approval No. 164.008/24/1, Kaylo, inorganic composition board type bulkhead panel with aluminum, steel, or equivalent veneer on both sides identical to that described in National Bureau of Standards Test Report No. TG10230-7:FP2635 dated July 22, 1948, approved as meeting Class B-15 requirements in a ¾-inch thickness, exclusive of the veneer, manufactured by United States Plywood Corp., 55 West 44th Street, New York 36, N.Y. (Extension of the approval published in FEDERAL REGISTER May 12, 1954, effective March 25, 1959.)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/18/0, "J-M 85% Magnesia", magnesite block type incombustible material identical to that described in National Bureau of Standards letter File 10.2 dated December 6, 1948, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N.Y. (Extension of the approval published in FEDERAL REGISTER June 25, 1954, effective May 17, 1959.)

Approval No. 164.009/31/0, LW marine acoustical unit, incombustible material in accordance with Johns-Manville Sales Corp. letter dated February 3, 1954, and dwg. No. M-1-9 dated March 11, 1954, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N.Y. (Extension of the

approval published in FEDERAL REGISTER May 12, 1954, effective May 12, 1959.)

PART II—TERMINATIONS OF APPROVALS OF EQUIPMENT, INSTALLATIONS OR MATERIALS

LIFE PRESERVERS, FIBROUS GLASS, ADULT AND CHILD (JACKET TYPE), MODELS 52 AND 56

Termination of Approval No. 160.005/11/0, Model 52, adult fibrous glass life preserver, U.S.C.G. Specification Subpart 160.005, manufactured by The American Pad & Textile Co., Greenfield, Ohio. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 160.005/12/0, Model 56, child fibrous glass life preserver, U.S.C.G. Specification Subpart 160.005, manufactured by The American Pad & Textile Co., Greenfield, Ohio. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

BUOYS, LIFE, RING, CORK OR Balsa WOOD

Termination of Approval No. 160.009/31/0, 30-inch cork ring life buoy, U.S.C.G. Specification Subpart 160.009, manufactured by C. J. Hendry Co., 27 Main Street, San Francisco, Calif. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective April 30, 1959.)

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

Termination of Approval No. 160.017/17/2, Fig. 017-S.C. embarkation-debarkation ladder, chain suspension, steel ears, dwg. No. 017-1, Rev. G-2 dated January 21, 1954, manufactured by Allain Marine Sales Co., 2122 Kentucky Street New Orleans, La. (Approved FEDERAL REGISTER May 12, 1954. Termination of approval effective May 12, 1959.)

DAVITS

Termination of Approval No. 160.032/65/1, Mechanical davit, straight boom sheath screw, type B-40, approved for maximum working load of 8,500 pounds per set (4,250 pounds per arm), using five or six-part falls, identified by general arrangement dwg. No. 2260-1, Rev. 2 dated April 16, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

LIFEBOATS

Termination of Approval No. 160.035/111/1, 28.0' x 9.25' x 3.83' steel, motor-propelled lifeboat without radio cabin (Class B), 52-person capacity, identified by general arrangement and construction dwg. No. 49R-2817-2 dated November 24, 1953, and revised February 10, 1954, manufactured by Lane Lifeboat & Davit Corp., 8920 26th Avenue, Brooklyn 14, N.Y. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 160.035/152/1, 30.0' x 9.67' x 4.17' aluminum, hand-propelled lifeboat, 65-person capacity, identified by construction and arrangement dwg. No. 3137 dated October 16, 1946, and revised April 30, 1954, manufactured by Welin Davit and Boat

Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

BOILERS, HEATING

Termination of Approval No. 162.003/8/2, Series Crane 20, cast iron sectional steam or hot water heating boiler, dwg. No. 28482-A dated January 29, 1954, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill. (Approved FEDERAL REGISTER May 12, 1954. Termination of approval effective May 12, 1959.)

Termination of Approval No. 162.003/9/2, Series Crane 16, cast iron sectional steam or hot water heating boiler, dwg. No. 28481-A dated January 29, 1954, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill. (Approved FEDERAL REGISTER May 12, 1954. Termination of approval effective May 12, 1959.)

Termination of Approval No. 162.003/11/2, Series Crane 14, cast iron sectional steam or hot water heating boiler, dwg. No. 28480-A dated January 29, 1954, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by Crane Co., 836 South Michigan Avenue, Chicago 5, Ill. (Approved FEDERAL REGISTER May 12, 1954. Termination of approval effective May 12, 1959.)

Termination of Approval No. 162.003/128/1, Series U.S.-2 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 82 dated January 6, 1949, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/129/1, Series U.S.-12 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 412 dated January 18, 1950, and G.S. 497 dated October 30, 1952, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/130/1, Series U.S.-20 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 73 dated January 12, 1949, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/131/1, Series U.S.-21 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 438 dated July 20, 1950, and G.S. 446 dated August 22, 1950, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/132/1, Series U.S.-25 cast iron sectional

steam or hot water heating boiler, dwg. No. G.S. 63, undated, and G.S. 236 dated January 20, 1947, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/133/1, Series U.S.-28 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 434 dated July 17, 1950, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/134/1, Series U.S.-46 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 382 dated June 7, 1949, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/155/0, Series U.S.-3 cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 222, undated, and G.S. 223A dated September 9, 1949, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/156/0, Series "C" cast iron sectional steam or hot water heating boiler, dwg. No. G.S. 352 dated January 3, 1949, maximum design pressure 15 p.s.i., approval limited to bare boiler, manufactured by United States Radiator Corp., Detroit 31, Mich. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

Termination of Approval No. 162.003/157/0, No. DA-115-4036-1, coil type hot water heating boiler, dwg. No. 32409, Rev. B dated April 13, 1954, dwg. No. 50755, Rev. H dated April 10, 1954, dwg. No. 50779, Rev. D dated April 12, 1954, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Vapor Heating Corp., 80 East Jackson Boulevard, Chicago 4, Ill. (Approved FEDERAL REGISTER June 25, 1954. Termination of approval effective June 25, 1959.)

STRUCTURAL INSULATIONS

Termination of Approval No. 164.-007/2/1, Spraycraft, plaster type structural insulation identical to that described in National Bureau of Standards letter, File III-6/23, dated June 2, 1944, approved for use without other insulating material to meet Class A-60 requirements in thicknesses and densities as follows:

3 inches at 12 pounds per cu. ft. density,
4 inches at 8 pounds per cu. ft. density,

manufactured by Sprayed Insulation, Inc., 56-58 Crittenden Street, Newark 4, N.J. (Approved FEDERAL REGISTER May 12, 1954. Termination of approval effective May 12, 1959.)

PART III—CHANGE IN NAME OF MANUFACTURER

The name of Duane Peabody Co., 6536 Southwest Macadam Avenue, Portland 1, Ore., has been changed to Portland Industrial Plastics Co. for Approval No. 160.010/36/1 for buoyant apparatus published in the FEDERAL REGISTER of December 31, 1958, and Approval Nos. 160.010/49/0 and 160.010/50/0 for buoyant apparatus published in the FEDERAL REGISTER of September 27, 1958.

Dated: July 21, 1959.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 59-6190; Filed July 27, 1959;
8:51 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. S-98]

AMERICAN PRESIDENT LINES, LTD.

Notice of Hearing

Notice is hereby given that a public hearing will be held under section 605(c) of the Merchant Marine Act, 1936, as amended, upon an application of American President Lines, Ltd., for an operating-differential subsidy on the following described services:

During the Great Lakes navigation season, one to two sailings per month with dry cargo vessels, between United States ports on the Great Lakes and St. Lawrence River and ports in Portugal, Spain (south of Portugal), the Mediterranean Sea, and Morocco with the privilege of calling at Black Sea ports and at Canadian ports on the Great Lakes, St. Lawrence River and Atlantic coast. During such period as the Great Lakes are closed to navigation, one to two sailings per month with dry cargo vessels, between United States North Atlantic ports (Maine to Virginia, inclusive) and ports in Portugal, Spain (south of Portugal), the Mediterranean Sea, and Morocco, with the privilege of calling at Black Sea ports and at Canadian Atlantic ports.

The purpose of the hearing is to receive evidence relevant to the following: (1) Whether the application with respect to operations during the Great Lakes closed season, between United States North Atlantic ports (Maine to Virginia, inclusive), and ports in Portugal, Spain (south of Portugal), the Mediterranean Sea, and Morocco with the privilege of calling at Black Sea ports and at Canadian Atlantic ports, is one with respect to a vessel or vessels to be operated on a service, route or line served by citizens of the United States which would be in addition to the existing service or services, and, if so, whether the service already provided by vessels of United States registry in such service, route or line is adequate, and in the accomplishment of the purposes and policy of the Act, additional vessels should be operated thereon; (2) whether the application covering closed season opera-

tions is one with respect to a vessel operated or to be operated in a service, route or line served by two or more citizens of the United States with vessels of United States registry, and, if so, whether the effect of the subsidy contract would be to give undue advantage or be unduly prejudicial, as between citizens of the United States, in the operation of vessels in competitive services, routes, or lines; and (3) whether it is necessary to enter into a contract covering said closed season operations in order to provide adequate service by vessels of the United States registry.

The hearing will be before an Examiner, at a time and place to be announced, in accordance with the Federal Maritime Board's rules of practice and procedure and a recommended decision will be issued.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to intervene in the proceeding, must file notification thereof with the Secretary, Federal Maritime Board, Washington 25, D.C., in writing in triplicate, by the close of business on August 14, 1959.

Dated: July 23, 1959.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-6186; Filed, July 27, 1959; 8:51 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-140]

GENERAL ATOMICS, DIVISION OF GENERAL DYNAMICS CORPORATION

Notice of Filing of Application for Utilization Facility Export License

Please take notice that General Atomics, Division of General Dynamics Corporation, P.O. Box 608, San Diego, California, has submitted an application dated June 10, 1959, for a license authorizing export of a 100 kilowatt TRIGA Mark II nuclear reactor to the Office of Atomic Energy of the Republic of Viet Nam.

Pursuant to section 104 of the Atomic Energy Act of 1954, and 10 CFR Chapter I, Part 50, "Licensing of Production and Utilization Facilities", and upon findings that (a) the reactor proposed to be exported is a utilization facility as defined in said Act and regulations, and (b) the issuance of a license for the export thereof is within the scope of and is consistent with the terms of an Agreement for Cooperation with the Government of the Republic of Viet Nam, the Commission may issue a facility export license authorizing the export of the reactor to Viet Nam.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the subject reactor.

In accordance with the procedures set forth in the Commission's rules of prac-

tice (10 CFR Part 2) a petition for leave to intervene in these proceedings must be served upon the parties and filed with the Atomic Energy Commission within 30 days after the filing of this notice with the Federal Register Division.

A copy of the application is on file in the AEC Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 21st day of July, 1959.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[F.R. Doc. 59-6148; Filed, July 27, 1959; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 10531]

DOLLAR LINES, LTD.

Notice of Hearing

In the matter of the application of Dollar Lines, Ltd. for an exemption under section 416, or in the alternative, approval under section 408 of the Federal Aviation Act of 1958.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, that a hearing in the above-entitled matter is assigned to be held on July 31, 1959, at 10:00 a.m., e.d.s.t., in Room 911, Universal

Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Merritt Ruhlen.

Dated at Washington, D.C., July 22, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-6198; Filed, July 27, 1959; 8:52 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-19001 etc.]

CARTER-JONES DRILLING CO., INC., ET AL.

Order for Hearings and Suspending Proposed Changes in Rates¹

JULY 22, 1959.

In the matters of Carter-Jones Drilling Company, Inc. (Operator) et al., Docket No. G-19001; Bayou Oil Company et al., Docket No. G-19002; Pauley Petroleum, Inc., Docket No. G-19003; Pan American Petroleum Corporation, Docket No. G-19004; Union Oil Company of California, Docket No. G-19006.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser	Superseding contract or notice of change dated	Date tendered	Effective date unless suspended	Suspended until
G-19001--	Carter-Jones Drilling Co., Inc. (operator), et al.	* 1	5	Texas Eastern Transmission Corp.	6-24-59	6-26-59	* 7-27-59	12-27-59
G-19001--	do.	6	11	do.	6-12-59	6-22-59	* 7-23-59	12-23-59
G-19002--	Bayou Oil Co., et al.	* 2	8	Phillips Petroleum Co.	6-25-59	6-26-59	* 8-1-59	* 1-1-60
G-19003--	Pauley Petroleum, Inc.	* 2	9	do.	6-25-59	6-26-59	* 8-1-59	* 1-1-60
G-19004--	Pan American Petroleum Corp.	98	11	Tennessee Gas Transmission Co.	6-23-59	6-26-59	* 7-27-59	12-27-59
G-19006--	Union Oil Co. of California.	* 30 30	1	United Gas Pipe Line Co.	4-20-59 Undated	6-25-59	* 7-26-59	12-26-59

¹ Respondent's present rates under Rate Schedule No. 1 (Supp. No. 2) are in effect subject to refund in Docket No. G-11359. A renegotiated increase (Supp. No. 3) was suspended in Docket No. G-13196 until February 12, 1958, but was never made effective.

² The stated effective date is the first day after expiration of the required thirty days' notice.

³ Respondent's present rates under Rate Schedule No. 2 (Supp. No. 7) are in effect subject to refund in Docket No. G-16176.

⁴ Or, if later, the date on which the related increased rates of El Paso Natural Gas Company are made effective in Docket No. G-17929 in the manner prescribed by the Natural Gas Act.

⁵ Or, if later, five (5) months from the date on which the related increased rates of El Paso Natural Gas Company are made effective in Docket No. G-17929 in the manner prescribed by the Natural Gas Act.

⁶ Supp. Nos. 6 and 7 to Respondent's FPC Gas Rate Schedule No. 2 are in effect subject to refund in Docket No. G-17179 and G-17176, respectively.

⁷ The stated effective date is that proposed by Respondent.

⁸ Supersedes Union Oil Company of California's FPC Gas Rate Schedule No. 8, as amended.

In support of its proposed rate increases, Carter-Jones Drilling Company, Inc. (Operator), et al. (Carter-Jones), states that the contracts were negotiated at arm's length; the proposed rates are not in excess of prices being paid under numerous other contracts in the same areas; Carter-Jones must deliver the natural gas to the purchaser at points six miles distant from the wellhead; and Carter-Jones is faced with an inflationary economy, an ever-increasing cost of labor, structural steel, tubular goods and equipment, and increased operating and maintenance expenses. In addition, in

support of the increased rates provided in Supplement No. 5 to Carter-Jones' FPC Gas Rate Schedule No. 1, Carter-Jones submits a favored-nation letter from the purchaser.

In support of their proposed rate increases, Bayou Oil Company et al. (Bayou), and Pauley Petroleum, Inc. (Pauley), state that the proposed increased rates are less than the average

¹ This order does not provide for the consolidation for hearing or disposition of the separately docketed matters covered herein, nor should it be so construed.

price being paid to other producers in the same fields, and such rates will not set in motion any contractual arrangement which would cause an increase in the rates paid by the ultimate consumer.

In support of its proposed rate increase, Pan American Petroleum Corporation (Pan American) submits a favored nation letter from the purchaser. In addition, Pan American states that the proposed increased rate is a matter of contractual obligation arising from a written contract entered into as a result of arm's length negotiation; the proposed rate is an integral part of the initial rate agreed to by the parties to the contract; the price of gas could be materially increased, based upon its intrinsic value, before it would equal the price of competing fuels; and the regulatory standard for "just and reasonable" should be the current market price standard or the average base price of currently negotiated contracts.

In support of its proposed rate increase Union Oil Company of California (Union) states that the new contract was negotiated at arm's length; it conforms more closely to those contractual criteria which the Commission regards as being more in the public interest; the proposed rate falls into the lower range of natural gas prices in Louisiana, parishes south of the 31st Parallel; and the proposed rate does not establish a new high for jurisdictional sales in South Louisiana and does not disturb the pricing economics of existing and future gas sales in this area.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements and Union's FPC Gas Rate Schedule No. 30, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements and Union's FPC Gas Rate Schedule No. 30.

(B) Pending hearings and decisions thereon, Supplement No. 5 to Carter-Jones' FPC Gas Rate Schedule No. 1 and Supplement No. 11 to Pan Americans FPC Gas Rate Schedule No. 98 are hereby suspended and the use thereof deferred until December 27, 1959; Supplement No. 11 to Carter-Jones' FPC Gas Rate Schedule No. 6 is hereby suspended and the use thereof deferred until December 23, 1959; Supplement No. 8 to Bayou's FPC Gas Rate Schedule No. 2

and Supplement No. 9 to Pauley's FPC Gas Rate Schedule No. 2 are hereby suspended and the use thereof deferred until January 1, 1960, or, if later, until five (5) months from the date on which the related increased rates of El Paso Natural Gas Company in Docket No. G-17929 are made effective in the manner prescribed by the Natural Gas Act; Union's FPC Gas Rate Schedule No. 30 and Supplement No. 1 thereto are hereby suspended and the use thereof deferred until December 26, 1959; and each of the aforementioned supplements and Union's FPC Gas Rate Schedule No. 30 shall remain suspended until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-6187; Filed, July 27, 1959;
8:51 a.m.]

[Docket No. G-18157]

MANUFACTURERS LIGHT AND HEAT CO.

Notice of Application and Date of Hearing

JULY 22, 1959.

Take notice that on March 25, 1959, supplemented on May 13, 1959, The Manufacturers Light and Heat Company (Applicant) filed in Docket No. G-18157 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the installation and operation of seven portable compressor stations totalling 1,495 horsepower at certain locations in Washington, Fayette and Greene Counties in Pennsylvania, and in Wetzel County in West Virginia; and for permission to remove and dispose of seven old compressor stations totalling 4,727 horsepower at certain locations in Washington, Fayette, Westmoreland and Greene Counties in Pennsylvania, and in Marshall and Doddridge Counties in West Virginia, all as more fully set forth in the application and the exhibits attached thereto, as supplemented, on file with the Commission and open to public inspection.

The estimated total cost of the proposed new facilities is \$439,300. The estimated cost of retiring the facilities proposed to be abandoned is \$26,000 with an estimated salvage value to be realized of \$90,700, and a credit to fixed capital accounts of \$610,780. The financing of the new installations and the retiring of existing facilities will come from the Applicant's general funds, part of which

will be derived from the 1959 general financing program with its parent company, The Columbia Gas System, Inc.

Applicant states that the project under this application will benefit its system by enabling increased use of existing storage fields and increased recovery of gas from the affected producing fields attached to Applicant's system. Also, operating and maintenance expenses are expected to be reduced by retiring unneeded and obsolete units and relocating other units, thus increasing efficiency and decreasing the manpower required.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 8, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 28, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-6188; Filed, July 27, 1959;
8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-2005]

ALUMINUM COMPANY OF AMERICA

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

JULY 22, 1959.

In the matter of application by the Pacific Coast Stock Exchange for unlisted trading privileges in Aluminum Company of America common stock File No. 7-2005.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made ap-

plication for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before August 7, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-6170; Filed, July 27, 1959;
8:48 a.m.]

[File No. 7-2004]

CERRO DE PASCO CORP.

Notice of Application for Unlisted Trading Privileges, and of Opportunity for Hearing

JULY 22, 1959.

In the matter of application by the Pacific Coast Stock Exchange for unlisted trading privileges in Cerro De Pasco Corporation common stock; File No. 7-2004.

The above named stock exchange, pursuant to section 12(f) (2) of the Securities Exchange Act of 1934 and Rule 12f-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before August 7, 1959, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-6171; Filed, July 27, 1959;
8:48 a.m.]

[File No. 22-2608 (2-15322)]

BARTON DISTILLING CO.

Notice of Application

JULY 21, 1959.

Notice is hereby given that Barton Distilling Company (the Company) has filed an application under Clause (ii) of section 310(b) (1) of the Trust Indenture Act of 1939 for a finding by the Commission that trusteeship of American Bank and Trust Company of Chicago (American) under one indenture dated October 1, 1957, two indentures dated as of July 1, 1958 and one indenture to be dated as of July 1, 1959 of the same obligor is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify American from acting as Trustee under any one of the four indentures. The indentures are herein-after referred to as the 1957, the 1958 indentures and the 1959 indenture respectively. The 1957 and 1958 indentures have been qualified under the Trust Indenture Act and application has been filed to qualify the 1959 indenture.

Section 310(b) of the Act provides in part that if an indenture trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall, within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions not here applicable that a trustee is deemed to have a conflicting interest if it is acting as trustee under a qualified indenture of an obligor and becomes trustee under another indenture of the same obligor. However, pursuant to clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of such obligor are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing therein, that trusteeship under a qualified indenture and another indenture or indentures is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under any of such indentures. This provision was incorporated in the 1957 indenture and is to be incorporated in the two 1958 indentures.

The application shows that:

1. Barton Distilling Company, a Delaware corporation, has outstanding:

a. \$1,000,000 aggregate principal amount of 6½ percent Secured Notes, due October 1, 1962 secured by the pledge of separate whiskey warehouse receipts for 1,250,000 gallons of whiskey (the "1962 Notes") issued under the 1957 indenture which notes are not in default;

b. Warrants to purchase whiskey warehouse receipts for 5,000 barrels of whiskey exercisable from January 2, 1961 through March 1, 1961 (the "warrants") issued under the 1957 indenture;

c. \$300,000 aggregate principal amount of 6 percent Secured Notes due July 1, 1963 (the "1963 Notes") secured by the pledge of whiskey warehouse receipts for 375,000 gallons of whiskey, issued under an indenture dated July 1, 1958; and

d. \$1,000,000 aggregate principal amount of 6 percent Secured Notes due July 1, 1964 (the "1964 Notes") secured by the pledge of whiskey warehouse receipts for 1,250,000 gallons of whiskey, issued under another indenture dated July 1, 1958.

2. The 1957 indenture was qualified under the Trust Indenture Act of 1939 effective February 27, 1958 as of February 16, 1958 and the two 1958 indentures were qualified effective July 10, 1958 as of July 9, 1958. The 1959 indenture is to be so qualified.

3. \$2,000,000 aggregate principal amount of 6 percent Secured Notes, due July 1, 1965 (the "1965 Notes") are to be issued under the 1959 indenture and will be secured by the pledge of whiskey warehouse receipts for 2,500,000 gallons of whiskey.

4. The 1959 indenture differs from the 1957 and 1958 indentures in that it contains provisions to enable the company to conduct its operations in two or more corporations preceded by one or more transfers of assets to such corporations without being in default of the covenants of the 1959 indenture provided that the corporation or corporations to which such assets of Barton are transferred become additional obligors on the 1965 Notes. Aside from the differences in the 1957, 1958 and 1959 indentures as to amounts, dates, interest rates and the elimination of any reference to warrants under the 1958 and 1959 indentures and the provisions with respect to co-obligors in the 1959 indenture most of the provisions of said indentures are substantially identical, and the differences existing between the indentures are not likely to involve a conflict of interest in the trustee.

5. The company expects to issue and sell additional series of secured notes in the future, each such series to be issued under a separate indenture and to be secured by completely separate and distinct collateral, consisting of whiskey warehouse receipts. Because of the number of indentures which will be involved, the Company believes it would be impractical and too expensive for it to engage in such program unless the same trustee is allowed to serve as such under each of the indentures.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the office of the Commission at 425 Second Street NW., Washington, D.C.

Notice is further given that an order granting the application may be issued by the Commission at any time after August 5, 1959, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (ii) of section 310(b) (1) of the Trust Indenture Act of 1939. Any interested person, may not later than August 3, 1959 at 5:30 p.m., eastern daylight saving time, in writing submit to the Commis-

sion his views and any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D.C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-6172; Filed, July 27, 1959;
8:48 a.m.]

[File No. 24NY-4588]

TREPAC CORPORATION OF AMERICA

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JULY 22, 1959.

I. Trepac Corporation of America (issuer), a New Jersey corporation, 30 West Hamilton Avenue (formerly located at One Engle Street), Englewood, New Jersey, filed with the Commission on November 8, 1957, a notification on Form 1-A and an offering circular relating to an issue of 20,000 shares of its \$0.25 par value common stock to be offered at \$2.00 per share for an aggregate offering price of \$40,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer has failed to file reports of sales on Form 2-A, as required by Rule 260;

2. Advertisements were used in connection with the offering which were not filed, as required by Rule 258;

3. The issuer failed to file a revised offering circular as required by Rule 256 of Regulation A;

4. The issuer failed to amend its offering circular so that the statements made therein would not contain information which was false and misleading in the light of the circumstances then existing;

5. The issuer failed to furnish, as an exhibit, copies of the escrow agreement with respect to securities underlying outstanding options held by officers, directors or controlling persons.

B. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made not misleading, concerning, among other things:

1. The failure to disclose the method by which the securities are to be offered to the public and the commissions paid and/or to be paid for the sale of the issuer's securities;

2. The failure to disclose that the issuer sold its \$0.25 par common stock at \$0.25 and \$0.40 per share in the year prior to the proposed public offering;

3. The statement that the issuer was negotiating for the sale of 10,000 shares of its common stock for \$10,000, in that such 10,000 shares were issued for a consideration other than cash;

4. The failure to disclose the identity and affiliation of the purchaser of a controlling interest in the issuer, and the failure to disclose the consideration to be paid by him for such interest;

5. The statement concerning the percentage of the outstanding securities of the issuer which will be held by directors, officers, and promoters as a group and the percentage of such securities which will be held by the public if all the securities to be offered are sold and the respective amounts of cash paid therefor by such group and the public;

6. The failure to disclose the current address of the issuer;

7. The failure to disclose the names and addresses of the current directors and officers of the issuer;

8. The failure to disclose the use of proceeds received by the issuer in the sale of its securities;

9. The failure to disclose the sale of securities of the issuer by its affiliate, the prices received therefor, and the effect thereof on any future financing by the issuer;

10. The inclusion of a list of 52 prominent companies to whom trial samples of the issuer's product were sent in that such product was neither endorsed nor purchased in substantial amounts by such companies;

11. The failure to disclose all material transactions between the issuer and its officers, directors, or affiliates;

12. The failure to disclose all options outstanding to purchase securities of the issuer;

13. The use of an offering circular dated prior to the time of filing with the Commission;

14. The failure to disclose that the issuer does not have exclusive rights to its principal product (TREPAC) and that others may manufacture and/or distribute devices identical or similar to that of the issuer;

15. The failure to specify the various stages of development, manufacture, and testing claimed for the issuer's products other than Trepac;

16. The statement that a potential market for 500,000 units of Trepac exists and that the market is increasing by as much as 100,000 units each year;

17. The failure to set forth in the balance sheet the basis of valuing the inventory;

18. The failure to include depreciation on fixed assets as an expense in the income statement;

19. The failure to include all liabilities in the balance sheet;

20. The failure to include appropriate financial statements of the issuer and its

predecessor with respect to earnings (losses) subsequent to September 1957.

C. The offering was made and would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-6173; Filed, July 27, 1959;
8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 230]

CALIFORNIA

Declaration of Disaster Area

Whereas, it has been reported that during the month of July 1959, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of California.

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Office below indicated from persons or firms whose property situated in the following county (including any areas adjacent to said county) suffered damage or other destruction as a result of the catastrophe hereinafter referred to:

County: Los Angeles (forest fire occurring on or about July 10, 1959).

Office: Small Business Administration Regional Office, Ohrbach Building, Room 1101, 312 West Fifth Street, Los Angeles 13, Calif.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to January 31, 1960.

Dated: July 13, 1959.

WENDELL B. BARNES,
Administrator.

[F.R. Doc. 59-6174; Filed, July 27, 1959;
8:48 a.m.]

[Delegation of Authority 30-I-1, as amended]

CHIEF, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance

Notice is hereby given that this delegation (22 F.R. 6808, 23 F.R. 1708) is rescinded in its entirety without prejudice to any actions taken under this delegation.

Effective date: June 19, 1959.

EDWARD J. STEWART,
*Regional Director,
Boston Regional Office.*

[F.R. Doc. 59-6175; Filed, July 27, 1959;
8:49 a.m.]

[Delegation of Authority 30-I-11]

CHIEF, LOAN PROCESSING SECTION

Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division by the Deputy Regional Director by Delegation No. 30-I-10, dated June 20, 1959, there is hereby redelegated to the Chief, Loan Processing Section, the authority:

A. *Specific.* To take the following actions in accordance with the limitations of such delegations set forth in SBA-500 Financial Assistance Manual:

1. To approve the following types of loans:

(a) Direct business loans in an amount not exceeding \$20,000.

(b) Participation business loans in an amount not exceeding \$100,000.

(c) Disaster loans in an amount not exceeding \$20,000.

2. To execute loan authorizations for loans approved under delegated authority, said execution to read as follows:

WENDELL B. BARNES,
Administrator.

By _____
*Chief,
Loan Processing Section.*

3. To modify or amend authorizations for business or disaster loans approved by the Administrator by the issuance of Certificates of Modification, and to modify or amend authorizations for loans

approved under delegated authority in any manner consistent with the original authority to approve loans.

4. To extend the disbursement period on all undisbursed authorizations.

5. To approve annual and sick leave for employees under his supervision.

B. *Correspondence.* To sign all non-policy making correspondence originating in the Loan Processing Section, except Congressional correspondence and correspondence with the Washington Office.

II. The specific authority delegated in IA may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Processing Section.

Effective date: June 20, 1959.

BERNARD F. O'NEIL,
*Chief, Financial Assistance Division,
Boston Regional Office.*

[F.R. Doc. 59-6176; Filed July 27, 1959;
8:49 a.m.]

[Delegation of Authority 30-I-12]

CHIEF, LOAN ADMINISTRATION SECTION

Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division by the Deputy Regional Director by Delegation No. 30-I-10, dated June 20, 1959 there is hereby redelegated to the Chief, Loan Administration Section, the authority:

A. *Specific.* To take the following actions in accordance with the limitations of such delegations set forth in SBA-500, Financial Assistance Manual:

1. To extend disbursement period on undisbursed portion of loans authorized.

2. To take the following actions in the administration, collection and liquidation of business or disaster loans:

(a) Approve or reject substitutions of accounts receivable and inventories.

(b) Release, or consent to the release of inventories, accounts receivable, cash collateral or other personal property held as collateral on loan, including the release of all collateral when loan is paid in full.

(c) Release dividends on life insurance policies held as collateral for loans, approve the applications of same against premiums due; release or consent to the release of insurance funds covering loss or damage to property securing the loan and to surrender expired hazard insurance policies.

3. To take peaceable custody of collateral, as mortgagee in possession thereof or otherwise, whenever such action becomes necessary to protect the interests of or a loan made by SBA; to take all steps necessary for the preservation and protection of the property, pending foreclosure of the lien and sale of the collateral; and to obligate the Administration in an amount not in excess of a total of \$1,000 for any one loan, for those expenditures as may be required to accomplish these purposes.

4. To enter into written arrangements with custodians or caretakers of collateral covering their services, which shall not have the effect of making such persons employees of SBA but shall be limited to their temporary services for the specific purpose involved.

5. To enter into written arrangements with owners of premises, when it is necessary, to use a building not part of the loan collateral for the storage of chattels pending foreclosure and sale, for a period of not more than 90 days, including a period of 10 days after the date of sale of the collateral to permit orderly removal of the property from the premises.

6. To approve annual and sick leave for employees under his supervision.

B. *Correspondence.* To sign all non-policy making correspondence originating in the Loan Administration Section, except Congressional correspondence, correspondence with the Washington Office and letters to borrowers or guarantors proposing collection of loans by court action.

II. The specific authority delegated in 1A, may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Administration Section.

Effective date: June 20, 1959.

BERNARD F. O'NEIL,
*Chief, Financial Assistance Division,
Boston Regional Office.*

[F.R. Doc. 59-6177; Filed, July 27, 1959;
8:49 a.m.]

[Delegation of Authority 30-V-17]

CHIEF, LOAN LIQUIDATION SECTION

Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division, by Delegation of Authority No. 30-V-1 (Revision 1), as amended (23 F.R. 3085, 24 F.R. 3554) and further amended April 20, 1959, there is hereby redelegated to the Chief, Loan Liquidation Section, the following authority:

A. *Specific—Financial assistance.* To take the following actions in accordance with the limitations of such delegations set forth in SBA-500, Financial Assistance Manual, in the administration, collection, and liquidation of all business and disaster loans classified as "problem loans," or "in liquidation":

1. Approve or reject substitutions of accounts receivable and inventories;

2. Release or consent to the release of inventories, accounts receivable, cash collateral or other personal property, held as collateral on loan, including the release of all collateral when loan is paid in full;

3. Release dividends on life insurance policies held as collateral for loans, approve the application of same against premiums due; release or consent to the release of insurance funds covering loss or damage to property securing the loans and to surrender expired hazard insurance policies;

4. Release, or approve the release of real and personal property securing a loan for the purpose of sale, provided the sale proceeds are applied as a principal payment on the loan in inverse order of maturity; release or approve the release of machinery and equipment, furniture and fixtures, securing a loan for the purpose of allowing borrower to trade the property for other machinery or equipment, furniture and fixtures, useful in the operation of borrower's business, provided the newly acquired property is hypothecated to secure the loan subject only to purchase money lien, if any exists.

5. Release or consent to release of real or personal property upon substitution of other collateral of equal or greater value.

6. To take peaceable custody of collateral, as mortgagee in possession thereof or otherwise, whenever such action becomes necessary to protect the interests of or a loan made by SBA; to take all steps necessary for the preservation and protection of the property, pending foreclosure of the lien and sale of the collateral; and, to obligate the administration in an amount not in excess of a total of \$1,000 for any one loan, for these expenditures as may be required to accomplish these purposes.

7. To enter into written arrangements with custodians or caretakers of collateral covering their services, which shall not have the effect of making such persons employees of SBA but shall be limited to their temporary services for the specific purpose involved.

8. To enter into written arrangements with owners of premises, when it is necessary to use a building not part of the loan collateral for the storage of chattels pending foreclosure and sale, for a period of not more than 90 days, including a period of 10 days after the date of sale of the collateral to permit orderly removal of the property from the premises.

Administrative. 9. To approve annual and sick leave for employees under his supervision.

B. Correspondence. To sign all non-policy, routine correspondence relating to the loan liquidation functions of the regional financial assistance program, except Congressional correspondence and correspondence with borrowers and guarantors containing any threat of legal action.

II. The specific authority delegated herein may not be redelegated with the exception of I.B.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Liquidation Section, FAD.

IV. All previous authority delegated to the Chief, Loan Liquidation Section is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: May 25, 1959.

GEORGE H. GAFFNEY,
Chief, Financial Assistance Division,
Atlanta Regional Office.

[F.R. Doc. 59-6178; Filed, July 27, 1959;
8:49 a.m.]

[Delegation of Authority 30-X-7 (Revision 2)]

BRANCH MANAGER, OKLAHOMA CITY, OKLAHOMA

Delegation Relating to Financial Assistance, Procurement and Technical Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 4), as amended, (22 F.R. 5811, 8197, 23 F.R. 557, 1768, 8435), there is hereby delegated to the Branch Manager, Oklahoma City Branch Office, Small Business Administration, the authority:

A. *Specific—Financial assistance.* To take the following actions in accordance with the limitations of such delegations set forth in SBA-500, Financial Assistance Manual:

1. To approve but not decline the following types of loans:

(a) Direct Business Loans in an amount not exceeding \$20,000.

(b) Participation Business Loans in an amount not in excess of \$100,000.

2. To approve or decline Disaster Loans in an amount not exceeding \$50,000, but not to decline reconsiderations of applications for such loans.

3. To approve or decline Limited Loan Participation Loans.

4. To enter into Disaster Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, such execution to read as follows:

WENDELL B. BARNES,
Administrator.

By _____
Branch Manager.

6. To modify or amend authorizations for business or disaster loans approved by Branch Manager under delegated authority, by the issuance of Certificates of Modification.

7. To extend, with concurrence of Branch Counsel, the disbursement period upon request of borrower on all loan authorizations.

8. To approve when requested, upon concurrence of Branch Counsel, in advance of disbursement, conformed copies of notes and other closing documents and to certify to the participating bank that such documents are in compliance with the Loan Authorization and Participation Agreement.

9. To approve, with concurrence of Branch Counsel, the extension or deferment of payments on principal falling due prior to or within 30 days after the initial disbursement on account of the loan, and provide for the coincidence of principal and interest payments.

10. To approve, with the concurrence of Branch Counsel, the compensation paid and to be paid by the borrower as attorney's fees for legal services rendered in connection with the loan.

11. To approve the compensation paid and to be paid by the borrower as fees to accountants, appraisers, architects, or engineers for services rendered in connection with the loan.

12. To approve, with recommendation of Branch Counsel, Requests for Disbursement and Notification of Checks Delivered, and transmit same directly to the Office of the Controller.

13. To cancel wholly or in part undisbursed balances of partially disbursed loans and deferred participation agreements, where the Administration has not purchased its participation.

14. Release, or consent to the release of all collateral when loan is paid in full.

15. Approve or reject substitutions of accounts receivable and inventories as "exchangeable collateral."

16. Release, or consent to the release of insurance settlement funds covering loss or damage to property securing a loan in aggregate amount not exceeding \$1,000 for any one specific loss or damage occurrence, and execute the endorsement of Small Business Administration on checks and drafts representing such funds.

17. To take the following actions to effect the servicing, administration and collection of direct business loans having an outstanding balance not in excess of \$20,000; participation loans having an outstanding balance not in excess of \$100,000; and disaster loans having an outstanding balance not in excess of \$50,000; except those loans currently classified as "Problem or In Liquidation":

a. Waive amounts due under net earnings clause.

b. Approve request to exceed fixed assets limitations and waive violations of this limitation.

c. Approve payment of cash or stock dividends, payment of bonuses, increases in salaries, employment of new personnel, and waivers of violations of salary and bonus limitations, provided the loan is current in all respects at the time the payment is authorized, or the waiver approved, and if the payment is reasonable and will not impair borrower's cash position.

d. Waive violations of agreements to maintain working capital of a fixed amount or ratio.

e. Release dividends on life insurance policies held as collateral for loans, and approve application of same against premiums due on such policies.

f. Release, or approve the release of real or personal property securing a loan for the purpose of sale, provided the sale proceeds are applied as a principal payment on the loan in inverse order of maturity.

g. Release, or approve the release of machinery and equipment, furniture and fixtures, securing a loan for the purpose of allowing borrower to trade the property for other machinery or equipment, furniture and fixtures, useful in the operation of borrower's business, provided the newly acquired property is hypothecated to secure the loan subject only to purchase money lien, if any exists.

h. To take peaceable custody of collateral, as mortgagee in possession thereof or otherwise, whenever such action becomes necessary to protect the interests of or a loan made by SBA; to take all steps necessary for the preservation and protection of the property,

pending foreclosure of the lien and sale of the collateral; and, to obligate the Administration in an amount not in excess of a total of \$1,000 for any one loan, for those expenditures as may be required to accomplish these purposes.

i. Approve changes in use of loan proceeds in connection with partially disbursed loans.

18. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the granted powers, including, but without limiting the generality of the foregoing, the execution and delivery of quit claim, bargain and sale or special warranty deeds, leases, subleases, assignments, subordinations, satisfaction pieces, affidavits, renewal of mortgages or judgments, and such other documents as may be appropriate or necessary to effectuate the foregoing, and ratifying and confirming all that said Branch Manager shall lawfully do or cause to be done by virtue hereof.

19. To do and to perform every act and thing requisite, necessary and proper to be done for the purpose of effecting all actions in connection with any disbursed loan when the action is specifically approved by the Regional Director.

Procurement and technical assistance. To take the following actions in accordance with the limitations of such delegations as set forth in SBA-400, Agency Policy Manual, and SBA-600, Procurement and Technical Assistance Manual:

20. To develop with government procurement agencies required local procedures for implementing established inter-agency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

Administrative. 21. To administer oaths of office.

22. To approve annual and sick leave for employees under his supervision.

23. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by GSA.

B. Correspondence. To sign all non-policy making correspondence, including Congressional correspondence, relating to the functions of the Branch Office.

II. The specific authority delegated in I.A., except paragraph I.A.20, may not be redelegated.

The specific authority delegated in I.B. may be redelegated limiting such

redelegation to routine correspondence only.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Oklahoma City, Oklahoma, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: July 13, 1959.

C. W. FERGUSON,
Regional Director,
Dallas Regional Office.

[F.R. Doc. 59-6179; Filed, July 27, 1959;
8:49 a.m.]

[Delegation of Authority 30-XV-7, Amdt. 1]

CHIEF, LOAN PROCESSING SECTION

Delegation Relating to Financial Assistance Functions

Delegation of Authority No. 30-XV-7 (24 F.R. 2669) is hereby amended by adding new paragraph I.A.8 as follows:

8. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority within the dollar limitations set forth in paragraphs I.A.1 and I.A.2 above, execution to read as follows:

WENDELL B. BARNES,
Administrator.

By _____, Chief,
Loan Processing Section.

Dated: May 27, 1959.

D. J. FAILOR,
Chief, Financial Assistance Division,
Detroit Regional Office.

[F.R. Doc. 59-6180; Filed, July 27, 1959;
8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 157]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 23, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Com-

merce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62050. By order of July 17, 1959, Division 4, approved the transfer to Jet Express, Inc., Newark, N.J., of a portion of Certificate No. MC 41701, issued August 14, 1958, to John P. McCloskey and James P. Morrison, doing business as Kollmar's Express, Linden, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Essex and Union Counties, N.J., on the one hand, and, on the other, New York, N.Y. Edward G. Bowes, 1060 Broad Street, Newark 2, N.J., for applicants.

No. MC-FC 62051. By order of July 17, 1959, Division 4, approved the transfer to Safeway Trucking Corporation, Newark, N.J., of a portion of Certificate No. MC 41701, issued August 14, 1958, to John P. McCloskey and James P. Morrison, doing business as Kollmar's Express, Linden, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Essex and Union Counties, N.J., on the one hand, and, on the other, points in Nassau and Westchester Counties, N.Y., except those points in the New York, N.Y. Commercial Zone. Edward F. Bowes, 1060 Broad Street, Newark 2, N.J., for applicants,

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-6165; Filed, July 27, 1959;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

A numerical list of the parts of the Code of Federal Regulations affected by documents published to date during July. Proposed rules, as opposed to final actions, are identified as such.

3 CFR	Page	7 CFR—Continued	Page	15 CFR	Page
<i>Proclamations:</i>		<i>Proposed rules—Continued</i>			
3301	5327	909	6005	230	5332
3302	5707	911	5939	371	5535
3303	5773	925	5372, 5491	373	5535
3304	5931	933	5391	379	5535
<i>Executive orders:</i>		946	5758	381	5535
Feb. 17, 1843	5575	949	5742	382	5535
Jan. 1, 1908	6001	957	5614	385	5535
Jan. 11, 1916	5796	958	6005		
4245	5721	960	5645	16 CFR	
8509	5762	961	5479	13	5365, 5366, 5416, 5417, 5467, 5487, 5488, 5537, 5538, 5565, 5566, 5603, 5604, 5737, 5753, 5754, 5788, 5826, 5827, 5899, 5931, 5932, 5965, 5997, 5998.
10828	5735	963	5491		
10829	5817	964	6005	303	5737
10830	5985	973	5614, 6006	17 CFR	
		975	5645	2	5966
5 CFR		989	5577	3	5966
6	5485, 5561, 5593, 5623, 5773, 5775	992	5614	9	5966
24	5817	993	5509	10	5966
25	5327	1003	5809, 5968	11	5966
325	5357	1008	5969	230	5900
6 CFR		1023	5943	239	5900
10	5329	1028	5908	250	5489
331	5817, 5996	8 CFR		<i>Proposed rules:</i>	
421	5437, 5959	502	5525	270	6008
464	5669	9 CFR		18 CFR	
483	5775	78	5532	260	5755
484	5777	<i>Proposed rules:</i>		19 CFR	
7 CFR		131	5615	1	5366, 5998
51	5357, 5684	10 CFR		2	5366
52	5363	<i>Proposed rules:</i>		8	5999
68	5985	20	5551	17	5489
301	5561, 5686, 5819	13 CFR		24	5755
318	5819, 5821	121	5628	31	5367
319	5821, 5823	14 CFR		21 CFR	
321	5823	4b	5629, 5688	1	5367
330	5363	10	5629, 5688	9	5707
352	5823	20	5485, 5634	130	5827
728	5437, 5710	40	5629, 5687, 5688	146a	5538
730	5623	41	5415, 5629, 5687, 5688	<i>Proposed rules:</i>	
813	5329	42	5629, 5687, 5688	46	5391
845	5363	43	5629, 5687, 5688	53	5511
863	5364	60	5687, 5688, 5759	120	5345, 5423, 5550, 6008
904	5329	221	5564	121	5945
909	5626	235	5600	130	5391
922	5411, 5593, 5751, 5824, 5963	241	5603	304	5757
927	5735	409	5898	24 CFR	
934	5329	507	5415, 5534, 5634, 5964, 5997	221	5636
936	5330, 5331, 5461–5465, 5595–5597	514	5534, 5635	232	5756
940	5963	600	5336, 5760	25 CFR	
953	5413, 5466, 5598, 5753, 5964	601	5336, 5760, 5761	46	5566
957	5413	602	5336	91	5778
958	5711	609	5337, 5341, 5467, 5779, 5933	221	5367, 5539
959	5599	610	5786	26 (1954) CFR	
960	5987	1221	5688	1	5368
969	5824	<i>Proposed rules:</i>		40	5901
973	5414	40	5424, 5847	170	5828
975	5987	41	5424, 5847	173	5829
990	5331	42	5424, 5847	195	5709
992	5414	43	5613	240	5539, 5689
993	5778, 5938	60	5759	252	5789
1020	5686	241	5509	253	5636
1022	5687	242	5510		
1067	5825, 5996	507	5659, 5848		
1101	5897	514	5848		
1104	5898	600	5723, 5760, 5973, 6007, 6008		
<i>Proposed rules:</i>		601	5723, 5760, 5761, 5973, 6008		
52	5372, 5845	602	5919, 5920		
53	5478	608	5973, 5974		
55	5421				
906	5549				

26 (1954) CFR

Page

Proposed rules:

1..... 5803, 5968

29 CFR

681..... 5466

Proposed rules:

8..... 5742

31 CFR

100..... 5489

270..... 5605

32 CFR

561..... 5791

590..... 5711

591..... 5711

592..... 5711

596..... 5711

597..... 5711

598..... 5711

605..... 5711

606..... 5711

805..... 5879

822..... 5737

836..... 5568

862..... 5756

875..... 5333

1001..... 5671

1002..... 5883

1003..... 5890

1452..... 5490, 5831

1453..... 5490

1457..... 5831

1459..... 5832

1466..... 5832

33 CFR

60..... 5605

62..... 5605

64..... 5607

66..... 5607

68..... 5607

70..... 5608

72..... 5608

74..... 5608

202..... 5369

203..... 5345, 5369, 5467, 5879, 5999

204..... 5999

205..... 5610

36 CFR

13..... 5335

20..... 5335, 5832, 5999

38 CFR

3..... 5369

36..... 5370

39 CFR

4..... 5906

31..... 5906

33..... 5794

35..... 5906

45..... 5794

111..... 5610

161..... 5610

168..... 5467, 5490, 5832

41 CFR*Proposed rules:*

201..... 6007

42 CFR

401..... 5335

Proposed rules:

400..... 5345

401..... 5345

43 CFR

76..... 5757

Proposed rules:

115..... 5577, 5808

Public land orders:

17..... 5921

19..... 5420

172..... 5741

293..... 6000

712..... 6001

1017..... 6001

1045..... 5418

1086..... 5418

1199..... 6001

1345..... 6001

1748..... 5905

1885..... 5371, 5757

1886..... 5371

1887..... 5418

1888..... 5418

1889..... 5419

1890..... 5419

1891..... 5420

1892..... 5420

1893..... 5575

1894..... 5575

1895..... 5638

1896..... 5638

1897..... 5721

1898..... 5741

1899..... 5794

1900..... 5794

1901..... 5795

1902..... 5795

1903..... 5795

1904..... 5796

1905..... 5796

1906..... 5796

1907..... 5797

1908..... 5797

1909..... 5904

1910..... 5905

1911..... 5905

1912..... 5966

1913..... 5967

1914..... 6000

1915..... 6000

1916..... 6000

1917..... 6001

1918..... 6001

1919..... 6001

1920..... 6001

1921..... 6001

1922..... 6002

46 CFR

2..... 5799

10..... 5799, 5802

24..... 5800

Page

46 CFR—Continued

Page

25..... 5800

26..... 5800

30..... 5800

33..... 5544

70..... 5800

77..... 5800

78..... 5544

90..... 5800

96..... 5801

97..... 5544

110..... 5801

113..... 5801

160..... 5545

167..... 5548

172..... 5610, 5757, 5967

175..... 5801

184..... 5801

185..... 5801

187..... 5802

Proposed rules:

201—380..... 5422

226..... 5973

47 CFR

2..... 5611

3..... 5834

9..... 5575

10..... 5837

11..... 5637

12..... 5840

13..... 5721

31..... 5842

33..... 5842

34..... 5842

35..... 5842

Proposed rules:

3..... 5849, 5851

7..... 5346

8..... 5346

10..... 5660

11..... 5660

16..... 5660

49 CFR

31..... 5968

72..... 5639

73..... 5639

74..... 5641

77..... 5643

78..... 5643

91..... 6003

131..... 6004

132..... 5576

156..... 5469

170..... 5548

50 CFR

104..... 5491,

5549, 5644, 5689, 5722, 5741, 5802

105..... 5933

107..... 5576

108..... 5802

109..... 5802, 5908, 5933

111..... 5335, 5802

112..... 5335

351..... 5645